A Select

COLLECTION

OF

TRACTS

BY

WALTER MOYLE, Esq;

CONTAINING

I. An ESSAY upon the *Roman Government.*

II. REMARKS upon Dr. *Prideaux* Connection of the *Old* and *New Testament.*

III. An ESSAY upon the *Lacedemonian Government.*

IV. An ARGUMENT against a standing Army.

DUBLIN:

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COLLECTION

OF

TRACTS

BY

WALTER MOYLE, Esq;

CONTAINING

AN

ESSAY

UPON THE

CONSTITUTION

OF THE

ROMAN Government.

IN TWO PARTS.

AN ESSAY UPON THE ROMAN GOVERNMENT.

PART I.

ROMULUS at the Head of a numerous Colony from *Alba*, was the firſt Founder of the *Roman* State *. This Colony was in the original State of Nature free, and independent of any Dominion whatſoever, and only choſe *Romulus* for their Leader, till their new

* Dionyſ. Halicarn. lib. 2. p. 60. Edit. R. Steph. 1546. Folio.

City was built, and they were at Leiſure to conſider what Form of Government they ſhould reſolve upon.

Monarchy was the antient Government of *Alba*, and continu'd down for many Ages * in a lineal Succeſſion of Princes, famous for their Juſtice and Moderation at home, and their Conqueſts abroad. The Love of their antient Conſtitution, (ſo natural to Mankind) together with the Eaſe and Plenty they enjoy'd under former Reigns, (which they imagin'd to be owing to the Civil Orders and Inſtitutions of the State, and not to the Vertue and Emulation of their particular Kings) were Conſiderations ſtrong enough to incline the People in Favour of Monarchy, which they made Choice of by univerſal Conſent, and elected *Romulus* † for their firſt King: who, immediately after his Advancement, erected a Frame of Government, upon ſuch admirable Orders, both Civil, Military and Religious, that, if no Alteration had been made in the Fundamental Laws by himſelf, or his Succeſſors, it would have been the moſt Noble, as well as moſt Laſting Conſtitution of Limited Monarchy that ever was in the World.

His firſt Care was to poſſeſs the People with the Notion of his Divine Appointment over them: Before he attempted the Crown, the Gods were conſulted in the uſual Forms §;

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* Dionyſ. Halicarn. lib. 2. p. 60. † Ibid. p. 62.
§ Ibid. l. 2. p. 60.

and

and all the Tokens of Divine Approbation appear'd: which left no Room for Pretenders to diſpute his Title, nor to the People to repeal their Choice. This begat a Reverence and a Veneration for his Perſon, added Weight and Authority to his Laws, and Strength and Reputation to his Government.

The Belief of this Divine Deſignation once infuſed into the Minds of the People, he proceeded to lay the Foundation of his Government *, and began with ſecuring the Poſſeſſion of the Regal Power by a wiſe Inſtitution of an hereditary Order of Nobility, compos'd out of the Richeſt and the Nobleſt of his new Colony. Out of this Order were choſen all the Councils and Magiſtracies of the Commonwealth; all Officers, Civil and Military: and out of theſe he formed the great Council of State, called the *Senate*. *Factio haud dubia Regis, cujus beneficio in Curiam venerant*, ſays *Livy* †: And indeed this Diſtinction of Honour and Power, theſe mighty Privileges and Immunities, created a neceſſary Dependence of the Nobility upon the Crown, and engag'd them intirely in the Support of the Monarchy, under whoſe Protection they enjoy'd theſe Advantages, to the Excluſion of the reſt of the People. And in all Ages the Nobility has been the Guard of Sovereign Power in limited Monarchies, and always oppos'd any Innovations in

* Dion. Halic. p. 64. † Lib. 1. cap. 35.

Favour of popular Government; for Fear of introducing an Equality, inconſiſtent with their Privileges.

But *Romulus*, wiſely conſidering that this Diviſion of the People into two Orders, would make different Parties and Factions in the State, which in Time would diſſolve the Government, unleſs they were united by ſome common Intereſt, reſolved, ſince he could not make an Equality, at leaſt to create a Dependence of the Commons upon the Nobility, by introducing the Cuſtom of *Patronage* *; which was, allotting ſuch *Patrons* out of the Nobility to the Commons, who were oblig'd to defend them in the Poſſeſſion of their Rights and Properties; to adviſe them in all Matters of Weight, and to protect them againſt all Violence and Oppreſſion: while the *Client* on his Part was oblig'd to pay all Deference and Eſteem to his *Patron* and to ſerve him with his Life and Fortune in any Extremity §. This mutual Intercourſe of good Offices, begat a Confidence and good Correſpondence between the Nobility and Commons, without thoſe Jealouſies and Animoſities which are the infallible Conſequences of two Parties, between whom there is no common Bond of Union.

Having provided for the Support of the Monarchy, his next Care was to ſecure his

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* Dionyſ. l. 2. p. 63, 64. § Plut. in Rom. p. 45. Edit. H. Steph. 1572. Octavo.

own Perſon from the Dangers of any ſudden Tumult, or popular Inſurrection, by eſtabliſhing a Guard *, compos'd of the braveſt Youths of the Nobility, who conſtantly attended his Perſon, and were the Executioners of all his Orders in the City, and fought by his Side in the Field.

To defray the neceſſary Expences of the Court, he reſerv'd to himſelf † a good Share out of the general Diviſion of the Land to the People, which he appropriated to the Maintenance of the Civil Liſt, and to ſupport a Splendor becoming his Dignity. For the ordinary Revenue of the Kings of *Rome* lay in their Crown-Lands and the extraordinary Charges of War and other Contingencies, were ſupported by levying Taxes upon the People.

Tho' he ſhared the Legiſlative in common with the People and *Senate* §, and had no Power to paſs any Law without Concurrence of both Orders, yet he had the ſole Right of propoſing to the People in their Aſſemblies, by Vertue of his Prerogative, which amounted to a full negative Voice in all their Determinations; neither the People nor *Senate* having the Liberty of propoſing, debating, or enacting Laws, till they were firſt moved from the Throne.

Beſides this Advantage of having the Largeſt Share of the Legiſlative Power of the Com-

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* Dion. p. 65.
† Ibid. p. 62, 102, 128.
§ Ibid. p. 66.

monwealth,

monwealth, he had all the executive * Power of the State lodg'd in his Hands. He had the ſupreme Power of Adminiſtration of Juſtice in all Cauſes, Civil and Criminal, unleſs in thoſe of little Conſideration, which he referr'd to the *Senate*; but in all others he was Sovereign Judge in the laſt Reſort, without any further Appeal to the People: And in Time of War he had the abſolute Command of all the Forces of the State †.

Thus I have run briefly thro' the Civil Orders, upon which the great Law-giver founded his Dominion, *viz.* the Opinion of a Divine Appointment; the Dependence of the Nobility upon his Intereſt, and the Dependence of their Clients upon them; his ſtanding Body of Guards; his great Revenue in Lands; the ſole Power of the Executive, and Part of the Legiſlative; and laſt of all, the Adminiſtration of Juſtice, and the Command of the Armies, which were the great Branches of the Royal Prerogative.

The next Thing I ſhall proceed on, is the Religious Inſtitution of *Rome*; which, whether we conſider the Simplicity of its Precepts, and their mighty Influence upon the Morals of the People, or their admirable Application to all the Ends of Civil Society, and particularly to the Support of the Monarchy, will appear to be the wiſeſt and the moſt politick Syſtem of Religion, that ever any Lawgiver founded.

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* Dion. Halic. p. 65. † Ibid.

Romulus

Romulus drew only the rough Draught of Religion, which was finiſh'd and brought to perfection by the great Genius of *Numa* *; who from a private Man, and a Foreigner, was courted to accept of the Crown, purely upon the Renown of his Piety and Juſtice †. The Principles from which he derived Authority and Belief to his Religion, were firſt the Reputation of Sincerity, which is the Univerſal Ground of Perſuaſion; his innocent Practice upon the Credulity of a barbarous People, by pretending to a ſupernatural Revelation of his Laws; and laſtly, the Operation of Miracles §.

This has been the current Practice of all the great Legiſlators of ** Antiquity, who thought the Opinion of a Divine Miſſion and Authority, abſolutely neceſſary to procure belief to all their Doctrines, and a blind and abandon'd Submiſſion to all their Laws ††.

Upon this Bottom *Numa* erected the Scheme of his Religion; in which he avoided all the Follies and Abſurdities of other Legiſlators §§.

He did not enjoin the Belief of Contradictions and Impoſſibilities, which take off from the Reputation of the Law-giver, and diſcredit his Religion *: nor did he introduce any Opinions unworthy of the Gods, and inconſiſtent

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* Livy, l. 2. c. 18. † Plut. p. 111.
§ Dionyſ. p. 91. ** Diod. Sic. p. 48. Edit. Rhodomani. †† Idem.
§§ Plut. p. 113. Dionyſ. p. 91. * Ibid. p. 68.

with

with the Divine Nature: nor did he require the Belief of many Articles of Faith, which create Schiſms and Hereſies in the Church, and end in the Ruin of Religion. For if Schiſms and Hereſies were trac'd up to their original Cauſes, it would be found that they all ſprung chiefly from the multiplying Articles of Faith, and narrowing the Bottom of Religion, by clogging it with Creeds and Catechiſms, and endleſs Niceties about the Eſſence, Properties, and Attributes of God. The common Principles of Religion all Mankind agree in; and the Belief of theſe Doctrines a Law-giver may venture to enjoin; but he muſt go no further, if he means to preſerve an Uniformity in Religion. For the Injunction of poſitive Laws, how much ſoever they contradict the Inclinations of Mankind, rarely produce any Schiſms: ſo much eaſier it is for Men to practiſe againſt their Paſſions, than to believe againſt their Underſtandings. But *Numa*, by a wiſe Conduct, prevented all Factions and Diviſions in the Church, by the Inſtitution of only two Articles of Faith *:

Firſt, That the Gods were the Authors of all Good to Mankind †.

Secondly, That to obtain this Good, the Gods were to be worſhipp'd; in which Worſhip, the Chief of all was to be Innocent, Good and Juſt.

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* Cic. de Leg. l. 2. c. 1. † Dionyſ. p. 92. 67. 255.

Theſe

Theſe were the two fundamental Articles of the *Roman* Religion, which *Zaleucus* ſeems to have copy'd in the Inſtitution of his Commonwealth §.

As for the firſt, tho' in Compliance to the popular Opinion, and in a vulgar Way, the great Men of Antiquity ſpoke of the Godhead in the plural Number; yet upon all ſolemn Occaſions, when they mentioned the Godhead with any Gravity and Emphaſis, it was by the Name of τὸ Δαιμόνιον ὁ Θεὸς; or *Deus Optimus Maximus.* Tho' the Unity of the Godhead be as demonſtrable as its Exiſtence, and tho' this Principle was embrac'd not only by many private Men and Sects of Philoſophers, but by whole Nations of Antiquity; yet Flattery to the Memories of their Benefactors, the Intereſt of Prieſts, the Ignorance of Mankind, and many other Cauſes had introduced *Polytheiſm* into the National Religion of the greateſt Part of the World.

Whatever Sentiments *Numa* had of the Godhead, 'tis plain he comply'd with the current Divinity of the Times, and eſtabliſh'd a Plurality of Gods in his Syſtem; perhaps from this Conſideration, that the abſolute and perfect Unity of the Godhead, was a Notion too refin'd to gain Reception in an Age univerſally over-run with *Polytheiſm*; when even *Moſes* himſelf, with all his divine Inſpiration, and the

§. Diod. Sic. l. 12. p. 84.

irreſiſtible

irreſiſtible Force of his Miracles, found much Difficulty to maſter the popular Prejudice againſt it. But tho' this perfect Unity of the Godhead was a Doctrine leſs known to the World, yet the Exiſtence of a God, and the Providence of ſome ſuperior Powers, are acknowledg'd by all civiliz'd Nations *.

The ſecond Article is but a natural Conſequence of the firſt: and thus we ſee *Numa*'s Syſtem of Religion took in all the common Opinions of Mankind. As for the particular Forms of Divine Worſhip, he inſtituted a Ritual, which directed the Prieſts in the ſolemn Ceremonies and Services of Religion, without denying a Toleration of other Forms; of which more hereafter.

The Doctrine of the Immortality of the Soul, tho' it was no Part of the Religion of the *Romans*, but ſeems left rather as a Problem of Philoſophy ** than an Article of Divinity, yet was always cheriſh'd and encourag'd by the Commonwealth, as an Opinion of great Uſe and Service to the State. Had it been an eſtabliſh'd Doctrine, *Veturia* would not have talk'd ſo doubtfully of it in her Speech to *Coriolanus* †; nor *Cæſar* have openly derided it in the Face of the whole *Senate* §. I am inclin'd to believe, it was firſt tranſplanted from *Greece* to *Italy* by *Pythagoras*, and from thence

* Cic. Tuſc. Quæſt. l. 2. ** Juv. Sat. 2.
† Dionyſ. p. 386. § Sal. in Cat.

deriv'd

deriv'd to the *Romans* *: However it might firſt have been introduc'd, we find it was receiv'd as a Thing plauſible; tho' in the ſame Rank and upon the ſame Level with thoſe Fables and other religious Hiſtories and Traditions which the Poets ſang. And *Polybius* † blames ſome who made it their Buſineſs to diſpoſſeſs the Vulgar of that Opinion. *Numa* likewiſe interwove his moral Precepts with his religious Doctrine; for the great Principle of his Morality, JUSTICE **, which in a Manner comprehends all other moral Virtues, was grounded upon this Perſuaſion, "That the Gods were the moſt ex-"cellent Nature, and the great Examples of "higheſt Virtue; that they adminiſter'd every "thing juſtly, and had a due Care and Provi-"dence over the whole; and that they never "beſtow'd their Favours upon unjuſt Men." From this Root ſprung that noble Branch of their Morals, the Love of their Country; which afterwards grew to be the fundamental Article of their *Ethicks*, and the Standard of all Virtue and Vice. This Principle was paſſionately purſu'd by all the great *Romans*; at this, the inexorable *Coriolanus* relented; for this, the *Decii* and *Curtii* devoted themſelves; to this Principle *Brutus* ſacrific'd his Son: This was improv'd and cultivated by the Force of Education, and

* Cic. Tuſc. Quæſt. l. 1.——— de Sen. c. 2.
† L. 6. c. 64. Amſt. 1670. Octavo.
** Dionyſ. p. 92.

confirm'd

confirm'd by more generous Examples than any Age or Nation can boaſt of.

Nor did he ſour his Religion with needleſs Severities and affected Auſterities, by impoſing Doctrines of Penance, Abſtinence and Mortification, which ſerve only to croſs the innocent Appetites of Mankind, without making them better or wiſer.

Beſides the Influence of his Religion upon the Duties of private Life, he likewiſe made it a Part of the *Roman* Policy, and ſubſervient to all the great Ends of Government and Society *. All the Elections of their Magiſtrates, and all their public Reſolutions, were ratify'd by the ſolemn Approbation of their Gods, conſulted by their College of *Diviners*; than which nothing could be a greater Reach of Policy, to teach the People Obedience to their Magiſtrates, and Subjection to their Laws. This was likewiſe a mighty incentive to Valour and Reſolution to their Armies upon any deſperate Service, and won them many Victories; for Prophecies, by the Aſſurance they give of Succeſs, are oftentimes the Cauſes of the Events that they foretel.

Numa, by the wide Bottom of his Religion, prevented all Hereſies in Fundamentals; and in the particular Forms of divine Worſhip he allow'd a general Liberty of Conſcience †.

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* Liv. l. 1. c. 36. † Dionyſ. p. 68.

This

This generous Principle of tolerating all Religions in the Common-wealth, was that above all others which fitted his Syſtem to the chief Deſign of the Government; for the Riſe and Progreſs of the *Roman* Greatneſs were wholly owing to the mighty Confluence of People from all Parts of the World, (with Cuſtoms and Ceremonies very different from the *Romans*) who won'd never have ſettled there, without an Allowance of the free Exerciſe of their particular Religions. 'Tis true, the *Romans* were very cautious of introducing any new Rites into their National Religion *; and there are frequent Inſtances in their Hiſtories of their forbidding the Magiſtrates to make any Innovations in the publick Worſhip †. But this Order did not extend to regulate the Opinions or Devotions of private Men, as appears by the Decree of the *Senate*, enacted upon the Suppreſſion of the *Bacchanalia*: That any one who asked Leave of the *Senate* might celebrate the Myſteries in private, tho' they diſſolv'd the publick Aſſemblies of the *Bacchanalia*, as a Seminary of all Debauchery, and dangerous to the State §.

This wiſe Inſtitution of an univerſal Liberty in Religion, ſeems to be owing to this ſingle Cauſe, *viz* ‖. " That the Government of the

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* Liv. l. 4. c. 30.
† Val. Max. l. 1. c. 3. Liv. l. 25. c. 1.
§ Liv. l. 39. c. 18. ‖ Dionyſ. p. 99.

"National Religion was lodg'd in the *Senate* "and People." 'Tis true, under the Government of the Kings, the *Pontifices* had a very large Juriſdiction, being the publick Directors of all the divine Rights, with an unlimited Power of judging and determining all religious Diſputes whatſoever, without being accountable to any ſuperior Authority: but their mighty Power declin'd after the Subverſion of the Monarchy; and after that, the ſole Power of Religion devolv'd upon the civil Magiſtrate, as may be eaſily made appear by the *Roman* Hiſtorians. Firſt,

All Neglects of the National Religion, and the Introduction of foreign Rites and Ceremonies, were puniſh'd and prohibited by the *Senate*, the Prieſts never interpoſing their Authority*: But the Execution of all the Religious Orders of the *Senate* were committed to the *Ædiles* and *Prætors* †, who were civil Magiſtrates; and all Toleration of Myſteries and Ceremonies, ‖ contrary to the Eſtabliſh'd Religion, were granted by the *Senate*.

All Innovations in the National Worſhip, ſuch as Adoption of new Gods, and the Inſtitutions of new Forms and Ceremonies in Religion, were appointed by the Authority of the *Senate* §.

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* Liv. l. 39. c. 18. l. 25. c. 1. l. 4. c. 1.
† Cic. in Or. de Reſ. Haruſ. c. 13. ‖ Liv. l. 39. c. 18.
§ Val. Max. l. 8. c. 15. Dionyſ. p. 68. Cic. de Div. l. 1. c. 43, 44. l. 2. c. 54. Dionyſ. p. 192.

Nor

Nor had the Prieſts any Right to conſult the great Oracles of their Divine Worſhip, the *Sybilline* Verſes, in which they plac'd the Infallibility of their Religion, unleſs by the expreſs Command of the *Senate.*

Nor did the Senate make any Scruple of acting againſt the Authority of the *Pontifex Maximus* †, who was the ſupreme Governour of the *Hierarchy.*

It is evident likewiſe that the whole Order § of the High-Prieſt were ſubject to the Juriſdiction of the *Tribunes* of the People, for *Cicero* * tells *Claudius* the *Tribune, Collegium Pontificum Tribunus Plebis poteras cogere,* that by the Vertue of his *Tribuneſhip* he could compel them to obey his Orders.

Cicero likewiſe declares the ſupreme Power of Religion to be lodg'd in the People ‖; for when *Claudius* had conſecrated his Houſe, and one of the High-Prieſts aſſiſted at the Solemnity, the People in their Aſſembly pronounc'd the Conſecration void. *Populus* ſays *Tully, cujus eſt ſumma poteſtas omnium rerum* **. And when the further Conſideration of that Affair was referr'd to the College of the High-Prieſts by the Orders of the *Senate, (non quod dubia res eſſet,* not that the Thing admitted of any Doubt after the Determination of the People) their Sentence

† Liv. l. 51. c. 9. § Liv. l. 33. c. 42.
* Cic. Or. pro. Dom. ad Pon. c. 45.
‖ Cic. de Har. c. 6. ** Ibid. c. 6.

was not valid till it was reported to the *Senate*, and ratify'd by their Authority.

By what Paces and Methods the Civil Power wreſted the Government of Religion out of the Hands of the Prieſts, is difficult to determine, in the Silence of all the antient Writers. But probably the uſurping the Right of electing the *Pontifex Maximus*, after the Expulſion of the Kings, was the leading Step to the Invaſion of all their other Privileges.

The Government of Religion being in the Hands of the State, was a neceſſary Cauſe of Liberty of Conſcience; for there is ſcarce any Inſtance in Story of a Perſecution rais'd by a Free Government. Perſecutions are generally made to gratify the Pride, the Ambition, or the Intereſts of the Clergy; which a State, that hath the Command of the National Conſcience, will never indulge at the Expence of the Publick Good.

A free Government is deſign'd for the Liberty of the whole Society, which Perſecution is inconſiſtent with; and 'tis againſt all the Rules of Policy to perſecute Opinions not deſtructive to Humane Society: for a neceſſary Conſequence of ſuch a Practice, is the narrowing the Bottom of the Community, by weakening the Strength and Force of the Commonwealth, which conſiſts in the Number of the People, who in all Appearance will, when thus diſturb'd, retire to an eaſier Government; nor can this fail to break the firm Unity of the Nation, which theſe ſevere Arts of Government are inconſiſtent with.

But

But Perſecutions are generally encourag'd only by Tyrants and Prieſts. By Tyrants, either from a falſe Bigotry, or a miſguided Zeal for Religion; or from a boundleſs Vanity and Pride of forcing all their Subjects to comply with their Opinions as well as Commands; or from a barbarous Policy of thinning the People, that they may with the greater Eaſe oppreſs the reſt *; or from an Apprehenſion that Revolutions in Religion may be attended with Revolutions in State; or from the Hopes of gaining a farther Support to their Tyranny by engaging the Clergy, whoſe Intereſt it will eternally be, to make War upon all contrary Religions. This laſt Conſideration hath produc'd moſt of the modern Perſecutions: Prieſts and Tyrants having join'd their intereſt to enſlave the World, and ſhare the Booty between them.

Perſecutions are made by Prieſts from a Dread that Changes in National Religion may end in the Ruin of all their Privileges, and Revenues; which being originally beſtow'd upon them from an Opinion of their divine Miſſion, and the Reverence to the Religion committed to their Charge, whenever the Religion is aboliſh'd, muſt of Courſe return to the State, or be transferr'd to the Heads of the prevailing Sect §. This was the Fate of the Revenues of the Heathen Prieſthood, (which were all ſeiz'd

* Dio, Caſ. in Or. Mecæ. ad Auguſt.
§ Zoſimus, l. 4. ſub fin.

upon by *Theodoſius* the Great *, in the final Diſſolution of their Religion) and the ſame alſo was the Fate of the *Romiſh* Clergy at the Time of the Reformation.

As the Religion of the *Romans* was a Part of their Policy, ſo their Clergy likewiſe was a Part of their Laity, and interwoven into the general Intereſt of the State; not a ſeparate independent Body from the reſt of the Community, nor any conſiderable Ballance of the Civil Government; but ſettled upon ſuch an Inſtitution, as they could have neither Intereſt nor Power to act againſt the Publick Good. A Conſtitution which the modern Policy hath overlook'd out of Ignorance, or neglected out of Deſign; as appears from the unlimited Power of the modern Prieſthood, who have uſurp'd a Supremacy, or at leaſt an Independency on the civil Power over half of *Europe*, and (where their Juriſdiction is more reſtrain'd) by Vertue of their great Poſſeſſions and Endowments, look the Civil Government in the Face, and have rais'd ſuch Convulſions in the later Ages, as were unknown to the antient World.

But the *Roman* Prieſts had no Intereſt to ſet up any particular By-Ends in Oppoſition to the national Good; for their Stake in the Civil Government was infinitely greater than their Dependance upon the Church. They were by their original Conſtitution all choſen out of

* Symm. Epiſ. l. 10. Epiſ. 61.

the

the Nobility, and afterwards out of the richeſt and greateſt Men of the Common-wealth *: and conſequently had ſuch an Intereſt in the civil State, as they would not ſacrifice to their particular Order. They were likewiſe promiſcuouſly admitted to all the great Offices and Dignities of the Common-wealth, which they ſet a much higher Value upon, than any of their Eccleſiaſtical Charges; as appears from the Reſentment the Nobility ſhew'd upon the Admiſſion of the Commons to the great Magiſtracies of the Republick: *Salii, Flamineſq; muſquam, aliò quam ad ſacrificandum pro populo, ſine imperiis & poteſtatibus relinquantur* †. That was the Senſe of the Nobility upon the paſſing of that Law. And there are Inſtances in the *Roman* Story, of Men who have been compelled againſt their Inclinations to accept the Prieſthood §; ſo far were the Dignities of the Church from being equal to thoſe of the State. Theſe Conſiderations muſt neceſſarily make the Clergy true to the Intereſts of the whole Community, becauſe their own Advantages were involv'd in the National Good. Thus the *Romans* wiſely prevented the two only fatal Effects which the Religious Orders of the State can have upon the Civil Government. The firſt is, from the Nature and Inſtitution of the

* Dionyſ. l. 2. p. 69, 70, 337. Cic. in Or. pro Domo, c. 1.

† Liv. l. 4, c. 54.

§ Liv. l. 27. c. 8.

Religion it ſelf, which from the Multitude of Doctrines and Articles of Faith, may divide the People into Schiſms and Hereſies in the Church, which generally end in Parties and Factions in the State, and they always in the Diſſolution of the Government. The other is, making the Clergy a ſeperate independent Body from the Laity, with Ends and Deſigns interfering with the publick Intereſts of the Civil Society; which is erecting *Imperium in Imperio*, and directly oppoſite to all the Maxims of antient Policy.

Nor had the *Roman* Prieſthood Power to ſet up for themſelves, or to give Laws to the Civil Magiſtrate, or to uſurp any extraordinary Juriſdiction, or to make any conſiderable Figure in the Ballance of the Civil Government.

Power is of two Kinds, Imaginary or Real. Imaginary Power is Authority founded upon Opinion: Real Power is Authority founded upon Dominion and Property. But the *Roman* Clergy had little of the firſt, and none of the laſt, till the Ruin of the Common-wealth.

Authority built upon Opinion is uſually deriv'd to the Clergy, from a Perſuaſion in the People of their Divine Miſſion and Deſignation; or from a Reverence to their myſtick Ceremonies and Inſtitutions; or for their pretended Empire over the Conſciences of Mankind.

As for the firſt, they had no more Title to claim ſuch a ſupernatural Warrant to their Authority, than all the Civil Officers of the State,

State, whoſe Elections as well as theirs were all confirm'd by Divine Approbation. They were likewiſe choſen in the Aſſemblies of the People, and were frequently degraded upon very ſlight Occaſions, and oftentimes by the Authority of the Civil Power §: which is a Proof that they had no extraordinary Virtue, or Privilege inherent to their Character: The Prieſts of the firſt Order (all but the *Augurs*) not being exempt from the Penalty of Deprivation. Their Empire over the Conſciences of Mankind, is exercis'd either by the Infliction of ſpiritual Cenſures, which they pretend to be ſeconded by the Divine Diſpleaſure, or by the Abſolution of Crimes, by Vertue of certain Luſtrations and expiatory Sacrifices †: And all the Precedents that I can meet with of the firſt Kind amount to no more than (an *Odi profanum Vulgus et arceo*) to an Excluſion of impious and irreligious Perſons from the ſolemn Sacrifices; a Sentence which had little Authority with Men of their Character. Their Power of Abſolution extended no farther than to pardon Crimes of Inadvertency, or ſome Neglects in the outward Form of Religious Worſhip *: But great Offences and notorious Immoralities could be aton'd by no Expiation what-

§ Dionyſ. p. 61. Val. Max. l. 1. c. 1. Liv. l. 26. c. 23. Suet. in Jul. c. 1. Plin. Ep. l. 4. Ep. 8. Plut. Quæſt. Rom. ç. 99. † Cic. de Leg. l. 2. Liv. l. 45. c. 5. Suet. in Ner. c. 34. * Varro p. 50. Zoſ. l. 2. Cic. de Leg. l. 1. c. 14.

ſoever;

ſoever. Omiſſions of external Ceremonies, ſays Tully, *Aſperſione aquæ aut dierum numero tolluntur; Animi labes nec diuturnitate nec manibus ullis elui poteſt* * And whenever the Prieſts pretended to a Power of expiating Immoralities, the *Romans* were too wiſe and too virtuous to admit of ſuch an infamous Refuge. Witneſs the famous Inſtance of *Regulus*, who having taken a ſolemn Oath to return to *Carthage*, in caſe the *Romans* refus'd the Conditions offer'd by the *Carthaginians*, when the High-Prieſt by Vertue of their Authority offer'd to abſolve him from the Guilt of Perjury, he rejected the Notion with Indignation; which he never would have done, had he imagin'd that any Power upon Earth could diſſolve ſo Sacred an Obligation, or any Expiation attone for ſuch a Crime §.

The myſtick Ceremonies and Inſtitutions of the *Grecians*, which procur'd ſuch a Veneration and Reverence to the *Grecian* Clergy, were grounded upon a ſuperſtitious Apprehenſion amongſt the weaker Sort of People, "That "many Advantages in Life, and certain Be- "nefits in a State hereafter, depended on "their Admiſſion to participate in thoſe my- "ſterious Rites and Inſtitutions †" Which "Trade, however advantageous it may ſeem

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* De Leg. l. 2. § Suppl. Liv. Dec. II. l. 18. c. 62.
† Laert. in vita Diog. p. 334. Plut. in aud. Poe. p. 37.

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to have been to the Priesthood of that Time, was not however of that Profit and Honour, as to raise them to any Consideration or Note above other Professions, so as to be an Order of Men making any Figure, or bearing any Sway in the States or Common-wealth we read of †.

These Mysteries had no Part in the Religious Institutions of the *Romans*, for *Dionysius* expressly says they had no τελεταὶ ἀπόῤῥηται, no occult Mysteries, in the very Corruption of the Common-wealth §.

From hence it is evident that the *Roman* Church * wanted these natural Sources by which Authority is deriv'd to the Characters and Persons of the Clergy and by which Arts, others have so successfully master'd the Opinions and Consciences of Mankind, and consequently influenc'd their Actions, and commanded their Fortunes.

Authority founded on Dominion, results to the Clergy, either from a Right of Supremacy over the Church, or from a Legal Jurisdiction and coercive Power over the Actions, the Lives, and the Conduct of the Laity. But I have already prov'd, that the *Pontifex Maximus* was so far from having the Government of the Church, that his Authority under the Popular

† Dionys. p. 68. Suet. in Claud. c. 25. Cic. de Leg. l. 2. c. 14. Lucianus in Demo.

§ Aurel. Vict. in Adrian. * Idem.

State

State amounted to little more than a Power of Repreſentation, or Advice to the *Senate* in all Religious Controverſies that lay before the Conſideration of the *Senate* §. Beſides the Arguments already urg'd, the Dependance of the *Roman* Church upon the Civil Power, appears from the Appeals made by the Clergy to the People, upon Diſputes ariſing between the Prieſts of different Orders. Their Subjection to the *Tribunes* *, appears from their being compell'd by their Authority to pay their Share to the general Taxes, in ſpite of their pretended Immunities; and their Exemption from all Wars, which they enjoy'd by the Donation of *Romulus* †, was repeal'd by a Civil Law. *Appius* ** the Cenſor likewiſe transferr'd the Prieſthood of *Hercules* §§, entail'd upon the *Potitian* Family by *Hercules* himſelf, to the Publick Servants of the State. Thus the People by their Authority oblig'd the *Pontifex Maximus* ††, in ſpite of all his Proteſtations againſt it, to conſecrate the Temple of *Concord*. *Domitius* the *Tribune* ¶ tranſlated the Right of electing the *Pontifices* to the People, altho' by the Conſtitution of *Numa* ‖, that Power was veſted in the College of the High-Prieſts themſelves.

§ Liv. l. 33. c. 42. l. 40. c. 42. l. 37. c. 41.
* L. 33. c. 42. † Dionyſ. p. 69.
** Plut. in Mar. p. 545. §§ Feneſtel. l. 1. c. 2.
†† Liv. l. 9. c. 29. l. 9. c. 45.
¶ Suet. in Ner. c. 2. ‖ Paterc. l. c. 12. Dionyſ. p. 99.

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As for the coercive Power of the Church, *Dionyſius* ſays that the High-Prieſts had Power to fine ſuch of the Clergy and Laity as diſobey'd their Orders. But this Privilege of the Clergy, originally inſtituted by *Numa*, was aboliſh'd immediatley after the Expulſion of the Kings, by the * *Valerian* Law, which gave Liberty to any Citizen that was fin'd or condemn'd by the Sentence of any Magiſtrate, to appeal to the Judgment of the People †: and there are Inſtances in the *Roman* Story of the People's reverſing Fines impos'd by the High-Prieſts ††.

From theſe numerous Inſtances it is plain that the *Roman* Church was ſubject to the Civil Power; and that the State had Power to make what Alterations they pleas'd in the Eccleſiaſtical Conſtitution. I have inſiſted larger upon this Subject, becauſe *Dionyſius* § ſeems to give the College of the High-Prieſts ſuch an unlimited Juriſdiction; but 'tis evident that that Paſſage muſt be underſtood of their Authority during the Monarchy only.

The Conſideration I ſhall next enter upon, is the Authority of the Prieſts founded on Property and Poſſeſſions, which is the only ſtanding Foundation of Dominion; for Power grounded upon Opinion is ſeldom long-liv'd, unleſs back'd by temporal Greatneſs and ſolid Force.

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* Dionyſ. p. 216. † Liv. l. 40. c. 42.
†† Cic. Philip. 11. c. 8 § Dionyſ. p. 99.

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The ordinary Revenues of the Prieſthood in all Ages, have conſiſted either in the voluntary Oblations of the People, or in Endowments of Lands, and Poſſeſſions, or in certain Shares of the Gains and Labour of the People.

That the Profits of the *Roman* Prieſts were very inconſiderable, is evident from the Opinion the Nobility had of Eccleſiaſtical Dignities, which they always held inferior to the Poſts of the Civil Government; and inſtead of purſuing and canvaſſing were often compell'd to accept them *: which is a Proof they could get little Benefit or Advantage by them; and there can be no Reaſons aſſign'd why the Imployments of the Church ſhould have any extraordinary Maintenance, when all the Civil Magiſtrates had none. Their Clergy were all Men of Quality and Riches, and were content with the bare Honour of their Dignities, and had a temporal Fortune to ſupport their Expences: And the Reaſon why their Prieſts were originally compos'd of the Nobility, was, leſt the Sacred Authority of their Religion, by the Poverty of its Profeſſors, ſhould be proſtituted to mercenary, ungenerous Ends. This is plain from *Tully*, who ſays there was an antient Law, that ſuch a Number of the young Noblemen ſhould be inſtructed in the *Tuſcan* Arts of Divination; *Ne ars tanta propter tenuitatem hominum à Religionis Authoritate ad mercedem et*

* Liv. l. 4. c. 54. l. 27. c. 18.

quæſtum

quæſtum abduceretur §. And *Dionyſius* † ſeems to reckon the Salaries of the *Augurs*, after the Ruin of the Common-wealth, among the Corruptions of their Religion. But the *Diviners* ** had the greateſt Power and Authority, of all the Religious Orders; and if they had no Revenues, 'tis improbable the reſt had any: and *Auguſtus* §§ after the Subverſion of the Common-wealth, and *Tiberius* were forc'd to ſettle large Appointments upon the Clergy, *ut Dignatio Sacerdotibus acciderat*, to give Authority and Reputation to the Order. The *Veſtal* †† Virgins, 'tis true by their original Conſtitution, had publick Allowance ſettl'd on them by the State. But I cannot collect from any of the antient Writers, that any conſiderable Revenue, Salary, or Perquiſites belong'd to any of the other Orders, till the Time of *Auguſtus*.

Firſt, They were not ſupported by the voluntary Oblations of the People †††. The *Romans* §§§ in their Religious Inſtitutions took particular Care that Religion ſhould not be a Rent-Charge on the People ¶: From that Principle aroſe the Frugality of their Sacrifices, and the Meanneſs of their Offerings, and Preſents to the Gods *. This Order likewiſe

§ Cic. de Div. l. 1. c. 45. Val. Max. p. 5. Liv. l. 9. c. 35.
† Dionyſ. p. 61. ** Cic. de Leg. l. 2. c. 12.
§§ Suet. in Aug. c. 31. Tacit. l. 4.
†† Liv. l. 1. c. 20. ††† Dionyſ. p. 63.
§§§ Val. Max. p. 88. ¶ Dionyſ. p. 70.
* Plin. l. 18. c. 2.

extended

extended to regulate the Bounties and Charities of private Men to the Clergy, for fear the Superſtition of the Common People ſhould ruin their Families. *Cicero* * in the Model of his Common-wealth (which he owns to have tranſcrib'd out of the antient Laws and Conſtitution of *Rome*) forbids all theſe Kinds of voluntary Offerings, unleſs to the Prieſts of *Cybele*, *ne Domos exhauriant* **. And there are frequent Inſtances in *Livy* of forbidding, under ſevere Penalties, all thoſe, *quibus quæſtus ex alieno errore facilis*, *quibus quæſtui ſunt capti ſuperſtitione animi* †; who under different Pretences rais'd Contributions upon the People, by working on their Superſtition ††; and ſuch as exercis'd this unlawful Gain, were call'd by the opprobrious Name of *Æruſcatores* §. 'Tis true, there were ſome mendicant Orders, who had a Privilege of driving this Trade, as the Prieſts of *Cybele* §§ and *Iſis*; but theſe were of a Foreign Growth, and not of a *Roman* ¶ Inſtitution, and were had in Contempt by the wiſeſt and the beſt of the *Romans*, as no *Roman* was ever a Prieſt of that Order ***. We likewiſe often read of voluntary Oblations of the People †††; but thoſe were apply'd (not

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* Cic. de Leg. l. 2. c. 19. ** Cic. de Leg. l. 2. c. 9.
† Liv. l. 4. c. 30. l. 25. c. 1. Ovid. de Pont. l. 1. Ep. 1.
†† Aul. Gel. l. 14. c. 1. § Phæd. l. 3. Fab. 20.
§§ Val. Max. l. 7. c. 3. ¶ Lucret. l. 2. Dionyſ. p. 68. Juven. Sat. 6. *** Liv. l. 25. c. 12.
††† Plin. l. 33. Macrob. l. 2. c. 6.

to

to the Maintenance of their Prieſts, but) to the Celebration of their Religious Games, or the ſolemn Feaſts and Entertainment of their Gods. And in general we find that all thoſe Kinds of Offerings were diſcourag'd by the State: *Non agnoſco eos* (ſays *Cicero* *) *qui quæſtus cauſa auriolentur.* Nor was the *Æs Sacrum* †, or the *Sacramentum*, appropriated to the Revenues of the Prieſts §, but enter'd into the Treaſury, and iſſu'd out in order to be apply'd to the Adornment and Decoration of their Temples, or to the Expences of their ſolemn Plays and Sacrifices; it being originally exacted from Fines and Forfeitures in Caſes Criminal and Civil.

The ſecond Branch of the uſual Revenues of the Church conſiſts in Donations of Lands and Poſſeſſions. *Romulus* in the firſt Diviſion of the Lands of *Rome* ¶, reſerv'd a conſiderable Share to be apply'd to the Expences of the Sacrifices and other religious Duties, (but theſe Lands were afterwards divided in common to the People by *Tullus Hoſtilius* ††, upon his Acceſſion to the Throne; and the Charges of the Publick Sacrifices defray'd out of his paternal Eſtate) but it does not appear that theſe Lands which were excepted out of the general Dividend by *Romulus*, were ever appropriated to the private Revenues of the Clergy, but to the building

* De Divin. l. 1. c. 58. † Varro, l. 5.
§ Feſt. in verbo Sacramentum. Liv. l. 10 c. 23. l. 27. 6. ¶ Dionyſ. p. 62. †† Ibid. p. 102.

of Temples, and the Solemn Services and Sacrifices of their Religion §. There is frequent Mention made in the *Roman* Story of Lands and Territories conſecrated to particular Gods. But 'tis manifeſt from the Authority of the beſt Writers, that thoſe Lands could be apply'd to no human Uſe whatſoever; much leſs converted to the Gains and Profits of any particular Body of Men ††: they lay fallow and uncultivated, and 'twas eſteem'd the higheſt Irreligion and Sacrilege to turn them to the common Uſe of other Lands. Thus the *Romans*, when *Tarquin* had plow'd up the Field of *Mars* *, which had been antiently dedicated to that God; tho' they divided all the reſt of *Tarquin*'s Goods, yet threw the Corn of that Field into the River; not daring, from a religious Apprehenſion, to make Uſe of the Products of a conſecrated Soil †.

My next Conſideration is the Revenues of the Prieſts, which ariſe from the Payment of certain Portions out of the Gains and Labour of the People, which are commonly made to conſiſt of the *Tenths* of their Incomes.

I ſhall firſt examine whether there lay any Obligation upon the *Romans* from their Religion, or the Laws of the Land, of paying ſuch a Proportion out of their Fortunes and In-

§ Dionyſ. p. 62. †† Diod. Sic. p. 425. Cic de Leg. l. 21. c. 18. * Dionyſ. p. 213. Liv. l. 2. c. 5.
† Plut. in Pop. p. 183.

comes.

tomes. Secondly, I ſhall examine the Reaſons upon which this Obligation was founded. And laſtly, to what Uſes it was apply'd.

Had there been any Obligations upon the *Romans* to pay their *Tenths*, it muſt have extended indifferently to all, which it plainly did not; for why ſhould the *Decimations* made by *Sylla*, *Craſſus*, and *Lucullus* *, be reckon'd ſo extraordinary, if the reſt of the People had made the ſame Offering †? Why ſhould ſo many Authors barely affirm that there were frequent Conſecrations of the *Tenths* §? Why ſhould not one of any Authority make Mention of a ſtanding Law, which enforc'd the Payment of Tithes to the whole Community? Nothing is more frequently mention'd than the Payment of Tithes by the ** antient Writers; yet not one mentions it as a Cuſtom of univerſal Obligation, but only practis'd upon ſome extraordinary Occaſions: Nor would ſo ſuperſtitious a People as the *Romans* have baniſh'd *Camillus* ‖, for vowing the *Tenths* of the Spoil of *Veii* to *Apollo*, if the Payment of Tithes had been an Article of their Religion ††, or an Inſtitution of their State. For tho' there were other Cauſes that concurr'd to his Baniſhment, yet this above all other inflam'd the Animoſity of the People a-

* Plut. in Sylla, p. 866. † Diod. Sic. p. 228.
§. Dionyſ. p. 26. ** Plut. in Craſſo. p. 992. Plut. in Quæſt. Rom. p. 277. Plaut. in Sti.
‖ Liv. l. 5. c. 32. Plut. in Cam. p. 241.
†† Victor in Cam. p. 50.

gainſt him, ὁτὶ δεκαῖοι τὰ τῶν πολλῶν, for impoſing Tithes upon the Citizens *; ſo averſe were the People to all theſe Kind of Offerings. And *Camillus* probably forc'd the People to contribute the *Tenths* of all the Spoils to *Apollo*, for the ſame politick Conſideration that *Cyrus* did upon the like Occaſion, for Fear the People ſhould grow rich and ungovernable †. 'Tis true, *Aurelius Victor* (a modern Author of little Authority) ſays, that originally Tithes were paid to Kings, but by Inſtitution of *Hercules* were afterwards paid to the Gods §. And even this Paſſage concludes ſtrongly againſt thoſe who aſſert the Divine Right of Tithes from the Antiquity and Univerſality of their Application to Divine Uſes, ſince they were antiently offer'd up to Kings by the Confeſſion of *Victor*.

As for the Conſecration of Tithes to the Gods by *Hercules*, if we ſhou'd allow the Authority of *Victor*, it only extended to *Evander* and his Succeſſors, and never was a Law in Force among the *Romans*; for all the conquer'd Provinces paid the *Tenths* of the annual Products of their Harveſts to the State, and not to the Gods; and the *Tenths* of the Spoils of War were ſometimes beſtow'd on a ſingle Perſon, who had particularly diſtinguiſh'd himſelf in the Action ‖.

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* Plut. ibid. † Herodot. l. 1. c. 17.
§ De Orig. Romæ. ‖ Cic. de Leg. Manil. c. 6. Liv. l. 36. c. 2. Plut. in Corio. p. 397.

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The uſual Reaſon for making theſe Oblations to the Gods, and more particularly to *Hercules*, was ſometimes from an Opinion that a Conſecration of ſuch a Portion of their Goods, would make their Lives eaſy and happy †: Sometimes from politick Conſiderations of the Envy and Jealouſy § which great Riches is always attended with, and which they wiſely avoided by ſuch a *Decimation* of their Fortunes. But I never met with any Hiſtorian, who aſſigns the Maintenance of the Clergy to be the Reaſon of theſe Oblations.

All the antient Writers unanimouſly agree in the Application of theſe Offerings to the Publick Feaſts and Entertainments of the People *: *Oreſti prandia in ſemitis decuma nomine data honori fuerunt*, ſays *Cicero* ‖. Thus *Sylla* made a mighty Entertainment to the People, from the Oblation of his Tithes to *Hercules* **; as likewiſe *Lucullus*. And *Varro* in *Macrobius*, ſays that the old *Romans* every Tenth Day feaſted the People from the Expences of theſe Offerings ††. And they were ſo far from being appropriated to the Prieſts of *Hercules*, that of two Families, who had the Prieſthood by Deſcent, the one was excluded from thoſe Solemn Banquets; the other, by the Perſuaſion of *Ap-*

† Diod. Sic. p. 228.
* Diod. p. 228. Macro. l. 3. c. 12.
‖ Cic. de Offic. l. 2.
†† Macro. l. 3. c. 12.
§ Plut. in Quæ. Rom. p. 477.
** Plut. in Sylla, p. 866.

pius, transfer'd their hereditary †† Honour to the Care of Publick Servants **: which they never would have ſo tamely ſubmitted to, had they enjoy'd ſuch a mighty Income, as the Oblation of the Tenths to *Hercules*.

It may ſeem ſtrange to our Age, where the Appearance of Godlineſs is ſuch a great Gain, that the *Roman* Clergy ſhould ſerve their Gods for nought *; but there will be no Reaſon to wonder, if they conſider that none of their Civil Officers had any Penſions, and that even their private Soldiers fought the Battles of the State without Pay, for ſome hundreds of Years after the Foundation of the City. The *Romans* took particular Care never to truſt the State in mercenary Hands, and ſeldom liſted any of the poorer Ranks of Citizens in their Armies, but upon great Extremities †. And the Commons, as *Dionyſius* expreſly ſays §, were excluded from the Prieſthood in Regard of their Poverty; which would have been no Reaſon, had there been any Profits or Revenues belonging to their Order.

After the Subverſion of the Common-wealth, the Emperors (for Prieſtcraft and Tyranny go Hand in Hand) ſettled large Stipends, Salaries and Endowments upon the Clergy ‖, and eſta-

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†† Macro. l. 3. c. 6. ** Liv. l. 1. Dionyſ. p. 26. Liv. l. 9. c. 29. Val. Max. l. 1. c. 17.

* Dionyſ. p. 66. Liv. l. 4. c. 59.

† Oroſ. l. 4. c. 1. Val. Max. l. 2. c. 91. Liv. l. 1. c. 43.

§ Dionyſ. p. 63. ‖ Suet. in Aug. c. 31.

bliſh'd

bliſh'd Lands for the Maintenance of the *Veſtal* Virgins §. And indeed in all Ages it hath been a current Maxim of arbitrary Princes, to engage the Authority of the Church to ſupport their Tyranny: Witneſs the mighty Power and Juriſdiction of the Clergy, under the *Eaſtern* Tyrannies, and their Subjection to all Popular † Governments, both antient and modern, that ever were founded in the World **.

My next Conſideration ſhall be to examine how *Numa* apply'd the Authority of the Church to defend the Grandeur of the Monarchy. The People, by their original Conſtitution, had a negative Vote in the Choice of their Magiſtrates, in the paſſing of all Laws, and in the Reſolution of Peace and War *. The Elections of the Magiſtrates before the Inſtitution of the *Comitia Centuriata, by Servius* ‖, lay almoſt wholly in the Power of the People, who out-voted the Nobility by their Numbers. But *Numa*, by an artful Policy, curb'd this mighty Privilege of the Commons §§: for he inſtituted a College of *Augurs*, or *Diviners*, who were to conſult the Gods upon the Creation of their Officers ¶; and without the Concurrence and Authority of this College, all the Publick Reſolutions of the People were void: So that the *Augurs* were a

§ Tacit. l. 4. c. 17. † Vopiſc. in Aurel. c. 35.
** Frontin. de Cœlo, p. 35. Hygin. p. 206.
* Dionyſ. p. 65, 66. ‖ Polyb. p. 643.
§§ Liv. l. 1. c. 36. ¶ Dionyſ. p. 6.

kind

kind of fourth State ††; and being choſen out of the Nobility, were the Creatures and Dependants of the Kings, and interpos'd their Authority to vacate the Election of any Magiſtrates diſlik'd by the King, without throwing the Odium upon the Regal Power.

The Supreme Power of the Reſult, in the enacting all Laws, was likewiſe veſted in the Commons *; which *Numa* deſtroy'd by the ſame Policy. 'Tis true, by the antient Conſtitution of *Rome*, the Kings had the ſole Right of propoſing Laws to the People, and conſequently had no Need of the *Augurs* to put a Negative upon any Law. But *Numa* was too wiſe to hazard the Affection of the People, by refuſing to propoſe any popular Laws, and rather choſe to make Uſe of the Authority of the *Augurs* upon a dead-lift, than expoſe his Prerogative to the Hatred of the People. Tho' it appears from *Pliny* †, that *Numa* had parted with that Branch of the Regal Power, the ſole Right of Propoſing to the People; for he makes Mention of a *Lex Poſthumia*, (and all Laws were denominated from their Propoſers) enacted in the Time of *Numa*; a Conceſſion which *Numa* very dextrouſly deſtroy'd by the Authority of his College of *Diviners*.

By the ſame Artifice he invaded the third Branch of the People's Power ‖, the Right of

†† Liv. l. 10. c. 6.
† Plin. l. 14. c. 13.
* Dionyſ. p. 65.
‖ Liv. l. 1. c. 19.

determining

determining of Peace and War. But in his Nature being averſe to War, and turning the Streams of his Counſels to the peaceful Arts of Government, he took particular Care to ſecure the Poſſeſſion of his Right to the Crown *; in order to which Deſign, he added to the unlimited Juriſdiction of the *Augurs* an Inſtitution of a College of *Heralds* at Arms §, compos'd of the Nobility, whoſe Province was to judge and determine of the Rights of War and Peace, and were, in other Words, the Publick Caſuiſts of the State; with ſuch an unbounded Authority, that tho' the three States and the † *Augurs* had concurr'd upon declaring a War, yet the *Heralds*, by Vertue of their Office, had Power to reverſe their Reſolutions, unleſs the Cauſes of the War appear'd to them to be juſt and honourable. This Order was founded upon the ſame Principle with the former. That if the People had reſolv'd upon War, againſt his Inclination, he might ſtill have a Reſerve to apply to in order to prevent it.

That theſe were the Conſiderations upon which *Numa* founded the Inſtitution of the *Augurs*, is apparent from the Authority of *Cicero* **; who ſays expreſly, *retinentur Auſpicia ad opinionem Vulgi, & ad magnas Reipublicæ utilitates* ††: And in another Place, *ut multos inutiles comitiatus*

* Serv. ad Æneid. p. 1469. § Dionyſ. p. 97.
† Ib. p. 98.
** Cic. de Leg. l. 2. c. 13.
†† Cic. de Div. l. 2. c. 39. l. 2. c. 18, 35. De Leg. l. 3.

probabiles

probabiles moræ impedirent. Beſides the Power of diſſolving the Aſſemblies of the People, and annulling their Votes and Decrees, the Monarchy deriv'd other Advantages from the Creation of theſe two Orders: For by making the Conſent and Approbation of the Gods (conſulted by their *Diviners*) neceſſary to the Succeſs of all their publick Counſels and Undertakings; and the Nobility claiming this Right of inquiring into the Will of Heaven, by Vertue of a pretended Sanctity inherent to their Characters; the Commons were excluded the great Magiſtracies of the State, under a Pretence that they had not the *Auſpicia*; that is, that they had not ſuch an imaginary Holineſs as was neceſſary to engage the Gods to give manifeſt Tokens of their Approbation or Diſlike upon their Election, or upon any Expedition to be undertaken by a *Plebeian* Magiſtrate*.

This politick Device of the Nobility laſted for ſome Ages after the Expulſion of the Kings, till the Commons grew wiſer, and diſcover'd the Juggle. But of the Declenſion of theſe two Orders I ſhall treat hereafter, when I come to examine the Cauſes of the Diſſolution of the Ariſtocracy of *Rome*.

Theſe politick Orders were the great Springs and Wheels upon which this mighty Fabrick turn'd: But as all natural Bodies are born with Seeds of Diſſolution in their own Frame, ſo theſe

* Liv. l. 4. c. 6.

great

great artificial Bodies, Common-wealths, are founded with κήρες σύμφυλοι, ſuch * original Flaws in their firſt Conſtitution, as, in ſome Periods of Time, corrupt and diſſolve them.

The Guard of the *Roman* Monarchy was the Clergy and the Nobility, whoſe Intereſts were cloſely interwoven with thoſe of the Royalty; which is the only Ballance in Nature, that a limited Conſtitution of Monarchy can be founded on. This was wiſely thought on by *Romulus*; but he took ſome falſe Meaſures, which were the leading Steps to change the Form of Government from Monarchick to Popular; the moſt conſiderable of which were, the making the Monarchy elective; allowing ſuch a Share of Property to the Commons; increaſing the Number of People by naturalizing all Foreigners, and truſting Arms in their Hands.

The firſt Defect in the Conſtitution of the Monarchy was the making it Elective. 'Tis true, elective Monarchies are for the Intereſt and Advantage of the People, but are not calculated to ſupport the Authority and Grandeur of the Crown. The People by the Favour of elective Empires, avoid all the weak Reigns of Minors and Women, Succeſſions of diſſolute and degenerate Princes, and Conteſts about diſputed Titles and Pretenſions, which make ſuch Convulſions in Hereditary Governments: And the Crown being conferr'd upon Virtue and Merit, not on

* Dionyſ. p. 25.

the

the raſh Reſult of Fortune and Deſcent, muſt produce a more illuſtrious Succeſſion of Princes. Witneſs the mild and happy Reigns of the Kings of *Rome* *, who came to the Crown by the free Choice and Conſent of the People, all renown'd for Juſtice, Virtue, and the honeſt Arts of Government: Whilſt of all the *Roman* Emperors that inherited the Monarchy by Succeſſion and Deſcent, two only had the Reputation of virtuous and moderate Princes.

For a Proof of this Aſſertion, that elective Monarchy is leſs dangerous to the Liberties of the People, I need only obſerve, there is not one Inſtance in antient or modern Story of an abſolute elective Monarchy, except that of *Rome* under the Emperors, and that of *Ægypt* under the *Mamalucks*, which were both military Governments, and the *Popedom* which is an Eccleſiaſtical one: And 'tis generally obſerv'd, that elective Empires end in Common-wealths, and Hereditary ones in Tyrannies and arbitrary Governments. Theſe are the happy Effects of elective Monarchies, with Regard to the Liberties of the Subjects: But they want Force and Vigour from their inward Conſtitution, to preſerve the Authority of the Regal Rights, much more to encreaſe and enlarge the Prerogative of the Crown.

Men advanc'd from a private Fortune to this great Station, retain their firſt Impreſſions of

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* Spartian. in Severo, c. 21.

Freedom,

Freedom, which the Condition of a private Life taught them under the Dominion of their Predeceſſors; which incline them to protect thoſe Rights and Privileges as Sovereigns, which they contended for as Subjects. And a wiſe People ſeldom make Choice of a Man to command them, the Experience of whoſe private Life has not warranted the Moderation of his Reign; and none are ſo likely to make good Governours, as they who in their private Capacities have obſerv'd the different Tempers and Inclinations of the People, upon the different Conduct and Genius of Princes: The true Vein and Current of a Nation being generally conceal'd from Kings by Crouds of deſigning Miniſters, and Adulation of ſervile Flatterers. Theſe Conſiderations may probably ſway with ſome Princes, not to invade the Liberties and Laws of the Nation: But moſt elective Kings are deterr'd from ſuch an Attempt, by the Difficulty of the Undertaking: They rarely have Strength to put in Force ſuch Reſolutions.

Hereditary Princes, whoſe Authority has been eſtabliſh'd by a long Succeſſion of their Anceſtors, ſtrengthen'd with Leagues and Alliances abroad, ſupported by mighty Dependances at Home, of thoſe who ſhare with them in the Government, or puſh on their Fortunes at the Expence of the Publick, cultivated by the ſame Courſe of Meaſures and Counſels, and made Sacred by the Force of Cuſtom and the Habit of obeying, may aſpire with all theſe Helps to abſolute Dominion, with ſome probable Grounds of Succeſs. But

elective

elective Monarchs are deſtitute of all theſe great Springs of Power and Authority; and rarely ſucceed in ſuch an Attempt, without a lucky Hit or an extraordinary Concurrence of Accidents and Cauſes; but generally loſe Ground, and decline every Succeſſion, by Reaſon of the Authority of the People, who being veſted with the Right of diſpoſing the Crown, force every new Prince they advance, to plume his Prerogative; and increaſe their Privileges to a Degree inconſiſtent with the Sovereign Power. Nor can the Nobility (the beſt Guards of Monarchy) in ſuch a Conſtitution be ſo wholly devoted to the King; for they muſt engage the Votes and Intereſts of the People, by all the Arts of Popularity, if ever they expect to have their Pretenſions to the Crown upon a Vacancy, ſeconded by the Favour and Concurrence of the Multitude.

Beſides theſe Limitations and Bounds of elective Monarchs, they have a nearer Intereſt not to invade the Liberties of their Country, which is the Good of their Families; for the Crown not deſcending to the next of Blood, they are certain that as much as they add to the Grandeur of the Monarchy, ſo much they add to the Slavery of their Poſterity, who are to be private Men. And ſhould an elective Prince form a Deſign of making the Crown Hereditary, he will certainly be oppos'd by the Commonalty, whoſe Right of Election is violated, and by the Nobility, whoſe Hopes of ſucceeding are deſtroy'd.

From theſe Conſiderations I am inclin'd to think, that this Conſtitution of the *Roman* Monarchy

chy was a Fault in the firſt Concoction, and was the Original of the ſucceeding Laws in Favour of the People. But whether it was firſt deſign'd by *Romulus*, or inſtituted by the *Romans* after his Death, is uncertain; tho' I am apt to believe that *Romulus* having no Children, as in his Life-Time he † gave Liberty to *Alba*, which deſcended to him by the Death of his Grand-father *Numitor*; ſo after his Death he deſign'd at leaſt to have left the Election of their Kings to the People, without appointing any Succeſſor of his own Nomination. Whoever was the Author of this Inſtitution, 'tis certain, that it was the great moving Cauſe of all their following Conceſſions and Privileges to the People.

Romulus their firſt King, to reward the good Affections of his * new Subjects, made an equal Diſtribution among the People of the Territory belonging to *Rome* ‖, except of the Crown and Church-Lands; and as he grew greater, divided all the conquer'd Lands among the Multitude, (a Cuſtom follow'd by moſt of the ſucceeding Kings.) This Donation was a falſe Step, never to be reconcil'd to the true Intereſt of Sovereign Power, from that eternal Principle, that *Equality of Poſſeſſion, makes Equality of Power*: And whenever the Ballance of Property ſways to the People, the Monarchy naturally reſolves into a Popular Government.

† Plut. in Rom. p. 61.
* Dionyſ. p. 62. Plin. l. 18. c. 2.
‖ Varro de re ruſ. l. 1. c. 10.

The

The third Fault was the making a limited Monarchy, a Government for Increaſe, in order to which the Numbers of the People muſt be enlarg'd, and the Sword put in their Hands; for Conqueſts abroad muſt be gain'd by the Vigour of a brave † *Militia* at home; and a brave *Militia* muſt be form'd of Men ſpirited by Freedom, Plenty, and Property. Conqueſts abroad muſt be preſerv'd by Force of Numbers of People; and Numbers of People can be gain'd only by Naturalization of Foreigners, who never will be tempted from their native Seats, unleſs allur'd by the Eaſe and Liberty of the Government. Thus the generous Ambition of extending their Empire, made the Kings of *Rome* ſacrifice the Rights of the Monarchy to the Liberties of the People; for without Freedom and Property, they found it impoſſible to compoſe a brave or a numerous *Militia*, both which are the genuine Roots of a Common-wealth: For a People that have Property in Poſſeſſion, and Swords in their Hands, rarely ſubmit to the Dominion of one. Independence being the Intereſt of the many, and Monarchy but of the few; by how much greater the Number of the People is, by ſo much ſtronger is the Guard of Liberty.

Theſe were the natural Seeds of the Generation of the *Roman* Common-wealth, concurring with many other accidental Cauſes, ſuch as the Example of moſt of the neighbouring States of

† Dionyſ. p. 60. p. 54, 31. Liv. l. 34. c. 31.

* *Greece*

* *Greece* and *Italy*, who were generally Republicks. For Changes of Government are often deriv'd by Imitation into the Humours and Cuſtoms of a Nation; and the *Jews* † choſe a Monarchy, becauſe the People round them were all under that Conſtitution: And the late Revolutions in *England* were in ſome Manner owing to the Example of *Holland*, and other foreign Commonwealths.

Another Cauſe was, their King's leaving no Iſſue behind him, (at leaſt of Age and Abilities to command) who, by the Numbers of his Father's Dependants and Retainers, might have pretended to the Crown, and made it Hereditary.

And laſt of all, the Moderation and Virtue of their Kings (which was owing to the Conſtitution of elective Monarchy) who all ſucceſſively vied in Emulation who ſhould be the greateſt Benefactors to the People.

In this Place it will not be improper to take a ſhort Survey by what Paces and Steps this great Revolution, from a Kingly Government to an Ariſtocracy, was brought about in *Rome*.

Romulus made the firſt Inſtitution § of dividing the Publick, and conquer'd Lands among the People, and afterwards made *Alba* a free State; which ſet the *Romans* ‖ a longing for a Common-wealth, (as *Plutarch* * obſerves) which

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* Dionyſ. p. 287.
§ Dionyſ. p. 62.
* Plut. in Rom. p. 61, 62.
† 1 Sam. c. 8.
‖ Cic. de Rep. l. 2.

they eſtabliſh'd upon his Death, but had not Strength to continue, from their own Diviſions and the unſettl'd Poſture of their own Affairs; which made Way for the Promotion of *Numa** who divided the Publick Lands of the City among the Citizens who had no Lots, and † committed a great Overſight in dividing the Chief Prieſthood from the Kingly Power; it having been veſted before in *Romulus*, and afterwards by the Policy of the *Roman* Emperors inſeparably annex'd to the Crown. *Numa* likewiſe disbanded his Guards. *Hoſtilius* divided all the Church and Crown Lands among the People, and inſtituted or confirm'd their Rights of hearing all Appeals; which was making them Sovereign Judges in the laſt Reſort.

And tho' *Ancus* left Things in the ſame State he found them, and *Tarquin* made ſome Steps to recover the Grandeur of the Monarchy by the Addition of ‖ one hundred new Senators (*Senatus majeſtatem numero ampliavit*, ſays *Florus*) and adorn'd the Imperial Dignity with the Enſigns of Royalty, and the outward Forms of Greatneſs; yet he debas'd § the Majeſty of his Character by ſubmitting his Title to the People, and pleading

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* Dionyſ. p. 92. Plut. in Num p. 129.

† Meſſala Corvin. Liv. l. 1. c. 20. Plut. in Num. p. 117. Cic. Phil. l. 5. c. 6.

‖ Dionyſ. p. 48. Florus, l. 1. c. 5. Dionyſ. p. 145, 146, 152, 160, 162.

§ Plut. de ſort. Rom. p. 574.

his

his Cauſe before them; which was owning the ſupreme Authority to be lodged in them.

But *Servius* being advanc'd to the § Throne by the Favour of the Commons, againſt the Will of the Nobility, gave the finiſhing Stroke to the Ruin of the Monarchy, by diſpoſſeſſing ‖ the *Patricians* of all the Publick Lands they had engroſs'd, and diſtributing them to the People; by paying the Debts of the Commons; by erecting Courts of Judicature independent of the Crown; and by the Inſtitution of ſuch * Laws as eſtabliſh'd an Equality between the two Orders, in the Deciſion of Civil Controverſies, and in their Contributions to the Publick Charges. 'Tis true, he ſtrengthen'd the *Patrician* Intereſt by introducing an Inequality of Suffrages in their Favour: But he quickly repented his Conduct, and apply'd himſelf ſo entirely to the Good of the People, that the Nobility were alarm'd at it; and, in Conjunction with the new Pretender *Tarquin*, form'd a Deſign to dethrone him: And when (by his great Authority with the Commons) they miſcarry'd in an open Attempt of depoſing him, they cut him off by a barbarous Aſſaſſination, in the midſt of that glorious Deſign he had form'd of introducing an equal Common-wealth. Thus *Tullius* † plainly inclin'd the Ballance of Power and Property from the Nobility to the Commons.

§ Dionyſ. p. 160, 170.
‖ Dionyſ. p. 166.
† Dionyſ. p. 180.
* P. 180, 181, 201.

After his Death, *Tarquin* uſurp'd the Throne in a lawleſs Manner, without the uſual * Forms of Election and Conſecration, to the Diſlike of the Nobility, and an utter Abhorrence and Deteſtation of the Commons, for the barbarous Murder of their great Patron and Benefactor *Servius*: And the whole Courſe of his Reign was anſwerable to his Beginning; he invaded all the Privileges and Liberties of the *Senate* and People, and exercis'd his Tyrannies with all the Inhumanity and Barbarity imaginable, without engaging any Party to ſupport him, or making Uſe of one *Order* to deſtroy the other, that he might with more Eaſe oppreſs all. His foreign Guards, inſtead of protecting him from the popular Fury, ſerv'd only to inflame the general Abhorrence of his Tyrannies, without being an Over-ballance to the People. But his arbitrary Government being ſettled upon no ſolid Foundation, could be of no long Standing; the *Senate* wanting nothing but a favourable Conjuncture, and the Commons nothing but a warm Leader, to break out into open Rebellion. The Rape of *Lucretia* enflam'd the general Diſcontents, and rais'd ſuch a Storm, as ended in the Expulſion of *Tarquin* and his Family, and the Diſſolution of the Monarchy.

Thus I have trac'd this great Revolution from its Original, in its remoteſt and moſt diſtant Cauſes, down to the laſt Period of the Monarchy

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* Dionyſ. p. 181, 201.

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under *Tarquin.* The natural Cauſes of it were the mighty Conceſſions and Privileges conferr'd on the Commons by the Bounty of their Kings, and ſuch a Share of Property, as over-ballanc'd the Poſſeſſions of the Kings and the Nobility together, which begets an Independence; after which there can be no Cauſe in Nature aſſign'd for Obedience and Subjection. So that the Ballance of Dominion being veſted in the Commons, the Monarchy of Courſe muſt die a natural Death. And to finiſh the Revolution, the Nobility diſoblig'd by *Tarquin*, cloſing with the People; and the Army (the laſt Refuge of Tyranny) being compos'd of Men of Property, and by Conſequence conſpiring with the National Intereſt, *Tarquin* had no Reſerve to appeal to, but loſt his Crown without ſtriking a Blow: And the Monarchy reſolv'd into an Ariſtocracy; and that into a Democracy; and that too relaps'd into a Monarchy, as the Ballance of Lands vary'd from one Order to another.

Theſe Periods and Revolutions of Empires are the natural Tranſmigrations of Dominion from one Form of Government to another; and make the common Circle in the Generation and Corruption of all States. The Succeſſion of theſe Changes *Polybius* knew from Experience, but not from their true natural Cauſes: For he plainly derives * theſe Alterations from moral Reaſons; ſuch as Vices and Corruptions, the Oppreſſion

* Polyb. l. 6.

and Tyranny of their Governors, which made the People impatient of the Yoke, and fond of new Forms; and not from the Change of the only true Ground and Foundation of Power, *Property*. To confute this great Man, I only appeal to the Examples of the famous Monarchies of *Rome*, (under the Emperors) and of *Turkey*; which being founded on the Ballance of Land, after ſo many Succeſſions of effeminate and tyrannical Princes, ſtood firm; and the People, provok'd often by their Oppreſſions, rebell'd againſt the Monarch, but never againſt the Monarchy: For while the Root of Power continues, the Government will laſt, tho' the Branches are lopp'd off. But the firſt *Roman* Empire not being founded on this ſteddy Ballance, the People, who were in Poſſeſſion of it, wanted nothing but Oppreſſion to make them exert their Power, and nothing but a Tyrant to ſet them free.

Thus it appears that Land is the true Center of Power, and that the Ballance of Dominion changes with the Ballance of Property; as the Needle in the Compaſs ſhifts its Points juſt as the great Magnet in the Earth changes its Place. This is an eternal Truth, and confirm'd by the Experience of all Ages and Governments; and ſo fully demonſtrated by the Great *Harrington* in his *Oceana*, that 'tis as difficult to find out new Arguments for it, as to reſiſt the Cogency of the old.

But to return from my Digreſſion, in the next Place I ſhall examine what Methods the *Romans* took to hinder the Reſtoration of *Tarquin*, and preſerve their Liberties. Their

Their firſt Step was their ſolemn Abjuration of the Regal Title * and Office (*abjuratio Regii nominis & poteſtatis*, ſays † *Oroſius*) made by the whole Body of the *Roman* People, in the Name of themſelves and their Poſterity; a Precedent which they copy'd from the § *Greek* Common-wealths, who after the Expulſion of their Tyrants, enter'd into ſolemn Oaths and Engagements to defend their Liberty. This was a wiſe Counſel of the *Romans*, and in the greateſt Diſtreſs of their ‖ Affairs, made them ſuffer the laſt Extremities, rather than hearken to any Overtures of reſtoring their Tyrants: So ſacred and binding was the Obligation of an Oath to that great and virtuous People.

2. An Act of general ** Indemnity and Oblivion, which took in all thoſe who joined with *Tarquin*, more from an Apprehenſion and Dread of Puniſhment from the State, for having favour'd the illegal Uſurpations of the Tyranny, than from any perſonal Affection or Engagement to his Cauſe.

3. The ſevere Puniſhment of the *Conſul*'s Sons, and the reſt of the Nobility, who had conſpir'd to reſtore the *Tarquins*: For however Monarchies or Tyrannies may ſubſiſt, Common-wealths can never ſtand without a rigorous Execution of that

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* Dion. Caſſ. p. 470. Dionyſ. p. 205, 207. Plut. p. 178.
† Lib. 2. c. 4.
§ Liv. l. 2. Appian in præfat.
‖ Dionyſ. p. 49. ** Ib. p. 213.

great Sanction of their Laws, Rewards and Puniſhments †.

And laſt of all, the Reſtoration of the popular Laws of *Servius*, and the Inſtitution of new ones *, together with the Diſtribution of the Goods of *Tarquin* among the People, and the Diviſion of all his Lands to the Commons; which, with all the Forfeitures and Confiſcations under ſuch a tyrannical Reign, muſt amount to a mighty Revenue.

This made the Breach between the Crown and the People irreparable, by involving the whole Community in one common Guilt; and widen'd the popular Ballance, by multiplying the Property of the State into ſo many Hands; which gave the People ſuch a Degree of Power, as made the Return of *Tarquin* by any inward Convulſion impoſſible: For 'tis ridiculous to imagine, that any free, brave, independent People, could have the leaſt Shadow of Intereſt to ſubject their Reaſons, Lives and Liberties to the arbitrary Commands and Reſolutions of a private Will, inſtead of being rul'd by Laws of their own making, Magiſtrates of their own Creation, and a Form of Government of their own chuſing.

Theſe popular Conceſſions of the Nobility, effectually excluded *Tarquin* and the Monarchy; but were the leading Cauſes of the Deſtruction of their new Ariſtocracy, which ſhall be the Subject of my next Conſideration.

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† Macchiv. l. 2. c. 16. * Dionyſ. p. 209, 213, 216.

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I have often wondred that the *Romans*, inſtead of ſettling a Democracy after the Expulſion of their Kings, ſhould make Choice of an Ariſtocracy; conſidering that the Revolution was brought about by the * People, and not by the Nobility, who had been utterly ruin'd by the Tyranny of *Tarquin*, and were in no Condition to make Head againſt his arbitrary Conduct; much leſs by their Numbers, and their Authority, to influence ſuch a mighty Turn of Affairs. Their Share in the Revolution, was no more than breaking the Ice, and inflaming the People to take up Arms; but without their Concurrence they had infallibly periſh'd in the Attempt. All that can be ſaid in Vindication of the People, is, that they were unus'd to command; and from the Habit of obeying, willingly ſubmitted to any Conſtitution which the Nobility impos'd on them; or elſe for Want of a Demagogue to form a popular Model, or from Ignorance of Union, were not ſenſible of their true Force and Strength; or elſe their Terror and Apprehenſions from abroad of *Tarquin* and his Return, made them aſſent to the Dominion of the Senate, rather than hazard all by an unſeaſonable Diviſion at home. But whatever the Conſiderations were, 'tis plain they lodg'd the Sovereign Power in the Senate and the two Conſuls, who were veſted with all the Royal Authority: *Omnia jura Regum tenuere*

* Dionyſ. p. 182, 202. Liv. l. 1. c. 53.

primi

primi Conſules, ſays * *Livy*. But when the Storm of *Tarquin* blew over, and their Apprehenſions of Foreign Invaſions ceas'd, they grew quickly ſenſible of their Error, in ſurrendring the Government into ſo few Hands; and in ſhort Time turn'd their new Maſters out of their Seats, and by Degrees moulded the Government into a more popular Model.

The Ariſtocracy was founded upon the ſhatter'd Ballance of the Monarchy, and compos'd of the Nobility, unequal either by their Numbers, Poſſeſſions or Authority, to the Riches and Greatneſs of the Commons, who had been growing many Ages, by the Lenity and Indulgence of the former Reigns, and the new Conceſſion of the Senate, after the Expulſion of the laſt Kings, (which I have already mention'd;) ſo that the Government ſtood on no ſolid Foundation of real Power, and only depended upon an imaginary Ballance of Authority, deriv'd from the Inſtitution of theſe two Laws.

1. The Excluſion of the † Commons from all Places of Command, under a Pretence that they were not qualify'd for the Right of *Divination*, which was neceſſary to the obtaining all the great Magiſtracies. And,

2. The Inſtitution of the § *Dictatorian* Power, which was an Expedient contriv'd by the Nobility to deſtroy the Right of Appeals, con-

* Liv. l. 2. c. 1. † Ibid. l. 4. c. 5.
§ Dionyſ. p. 246, 284.

firm'd

firm'd to the People by the *Valerian* Law; which this Magiſtracy abſolutely ſubverted, and got an unlimited Juriſdiction in all criminal and civil Caſes, in the laſt Reſort, without any Appeal to the People. But theſe Laws being founded againſt the true Ballance of the Commonwealth, wanted Force and Strength to ſupport the Dominion of the *Patricians*; nor had the *Patricians* Authority and Power to ſupport theſe Laws againſt the irreſiſtible Greatneſs of their Rivals, the Commons, who would obey no longer than the Councils and Reſolutions of the Senate were directed to the Publick Good of the whole Community. For when the Commons ſaw Pretences of one Kind, and Actions of another; when they beheld the Senate to be govern'd by their private Factions and Intereſts, violating their own Laws and Liberties, exerciſing Power with all the Inhumanity and Barbarity imaginable, handling their Debtors without Mercy, and impriſoning them for not paying * Money taken up at unreaſonable Intereſt, the Debtors (not the ſeventh Part of the People) in Conjunction with Part of the Senate, and the whole Order of the Commons, kindl'd ſuch a Flame as ended in the Diſſolution of the Ariſtocracy, and the Settlement of an equal Common-wealth. The Cauſes from which this Revolution was deriv'd, ſhall be the Subject of my next Conſideration.

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* Dionyſ. p. 288.

A Man

A Man who would take a Survey of the Original Principles of this ſecond Change of Government, muſt take Wing from a riſing Ground, and mount up to thoſe remoter and more diſtant Cauſes which inſenſibly and by Degrees influenc'd this mighty Revolution, *viz.*

The Decay of the Power and Authority of the *Patricians*, under ſo many Succeſſions of Kings; their viſible Declenſion under *Servius*; and the almoſt utter Ruin of the Order, under the Tyranny of *Tarquin*: And,

The proportionable Growth and Increaſe of the Commons by the Addition of ſo many Privileges and Immunities to their Order; their great Poſſeſſions, the Plenty of their Fortunes, their Independance on the Nobility; of all which, Power and Dominion is but the natural Reſult.

Theſe two former Cauſes I have diſcours'd of at large: the more immediate Cauſe was the Diſſolution of the Monarchy by the joint Counſels and united Intereſts of the whole Body of the People; this made them Reaſoners in Matters of Politicks and Government, and impatient of any Inſolence and Oppreſſion; this Taught them a Refuge to appeal to from the Tyranny of any other Governors, and made them diſdain any other Subjection, than to the Empire of the* Laws; the filling up of the vacant Places in the Senate † with Commoners,

* Dionyſ. p. 213. † Liv. l. 2. c. 1.

who

who muſt of Courſe be more warmly concern'd for the Intereſts of the People than hereditary Nobles.

The Right of electing the Senate § conferr'd on them by *Brutus*, after the Expulſion of the Kings; which the People continu'd in ** Poſſeſſion of till the firſt Creation of the *Cenſors*. This gave the People an †† Advantage of chuſing more popular Members into the Senate, and was perhaps the Reaſon which engag'd ſuch a ſtrong Party in the Senate to oppoſe the unjuſt Incroachments of the *Patricians*, and to favour the juſt Pretenſions of the People.

Theſe were the natural Cauſes of the final Period of this Government, with which ſome other Accidents concurr'd: as, 1. The Conjuncture of a foreign War; which the Senate being unable to manage in ſuch a diſtracted State, they conſented more eaſily to the Demands of the Commons. 2. The invincible Courage and matchleſs Virtue of the Old *Romans*, and their Diſdain of Servitude, from the Force of Cuſtom, or the Impreſſions of Education. All theſe Cauſes conſpir'd to make the Ariſtocracy an eaſy Triumph to the People.

Thus the weak Conſtitution of this Government, not founded on the true Center of Dominion, Land, nor on any ſtanding Foundation of Authority or Reverence, nor rivetted in the

§ Liv. l. 4. c. 4.
†† Feſtus.
** Cic. pro Sextio, c. 65.

Eſteem

Eſteem and Affections of the People; and being attack'd by the ſtrong Paſſion, general Intereſt, and joint Forces of the People, mouldred away of Courſe, and pin'd of a lingring Conſumption, till it was totally ſwallow'd up by the prevailing Faction, and the Nobility were moulded into the Maſs of the People.

In the next Place, I ſhall examine upon what Laws and Orders the popular Frame of Government was erected, and by what Policies and Inſtitutions ſecur'd from a Relapſe into any of the old Forms.

The firſt Blow given to the Ariſtocracy, was the Reciſion of the Debts to the * Commons, which weakned the Intereſt of the Nobility, by taking off the great Dependance of the inferior Rank of the People upon them.

The ſecond was the Erection of the † *Tribunes* and other *Plebeian* Magiſtrates, for the Security and Protection of the Commons, with a ſacred Authority and negative Vote upon all the Proceedings of the Senate.

The Inſtitution of this Magiſtracy of the People, beſides all the other Advantages deriv'd from it to the Commons, united the whole Body of the People under the general Conduct of Leaders and Demagogues of their own Order, made their § Counſels ſteddy, and their Reſolutions unanimous; and took off that Im-

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* Dionyſ. p. 299. † Ibid. p. 303. Liv. l. 2. c. 33.
§ Dionyſ. p. 292.

preſſion

preſſion of ſingle Fear, which the Commons had of the *Patricians*, from the Ignorance of Union; was a certain Refuge to appeal to, for the Redreſs of all their Grievances; and Taught them to make regular Advances and Approaches, to the Deſtruction of the Ariſtocracy.

The third was the Power of propoſing and debating * Laws, which the Commons aſſum'd by Vertue of their new Magiſtrates, whom they advanc'd at laſt to a Power of enacting Laws, without the Authority of the Senate.

The fourth was the uſurping a § Right to try the Nobility for Crimes committed againſt the State; which was a Security wiſely provided for by the People, to ſoften the abſolute Power of the *Dictator*, who by this Law was accountable to the People, after the Reſignation of his Office, for Severities exercis'd againſt them in the Time of his Juriſdiction. This likewiſe confirm'd the Old Law of Appeals to the People from the Magiſtrates, which had been dexterouſly deſtroy'd by the Nobility, by introducing the *Dictatorian* Power.

The fifth was regaining an Equality of Suffrages in the † Elections of their own Magiſtrates, and in the enacting of their Laws; a Right which they formerly enjoy'd in the *Comitia Curiata*, but which they loſt ‖ in the *Comitia*

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* Dionyſ. p. 319, 540. Liv. l. 3. c. 54. l. 8. c. 12.
§ Dionyſ. p. 341. † Ibid. p. 342, 446.
‖ Liv. l. 3. c. 33.

Centuriata,

Centuriata, introduc'd by *Servius Tullius*, and recover'd again in the Trial of *Coriolanus* by the *Tributa Comitia*.

The ſixth was the obtaining a ſtanding Body of Laws, collected from the wiſe Inſtitutions of the *Grecian* § Common-wealths. This Syſtem of Laws preſcrib'd the Bounds of Right and Wrong, and regulated the Proceedings of their Courts of Judicature; whereas formerly all Controverſies between Man and Man were decided by the arbitrary Will of the Conſuls, without any known Forms or eſtabliſh'd Methods of judging.

Seventhly, the excluding the *Diviners* from interpoſing their Authority and * Juriſdiction in the Debates and Reſolutions of any popular Aſſemblies: for whereas by their antient Conſtitution, no Election of any Magiſtrate, nor any publick Determination was valid, till ratify'd by their Approbation, under this Pretence they oppos'd all the juſt Rights and Pretenſions of the People. To deſtroy therefore the negative Vote of the *Diviners*, the *Tribunes* contriv'd an Expedient to inſtitute a new Form of Aſſembling, which they call'd the *Tributa Comitia*, wherein the *Augurs* † were not allow'd to conſult the Gods; and by Conſequence the People were left abſolute Maſters of their own Proceedings and Reſolutions.

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§ Dionyſ. p. 463.
† Ibid. p. 446.
* Ibid. p. 441.

Eighthly,

Eighthly, The *Agrarian* Law; which, tho' the People never perfectly obtain'd, yet they got large Shares of the conquer'd Lands into their Poſſeſſion, either by Allotments to the Citizens at Home, or by planting Colonies in the Enemies Territories Abroad; which confirm'd and kept up the popular Ballance againſt the Encroachments of the Nobility.

Ninthly, The mighty Growth and Increaſe of the Numbers of the People, occaſion'd by Laws * prohibiting the barbarous Practice of expoſing their Children; by manumitting their Slaves, and enrolling them in the Liſt of their † free Citizens; by the Inſtitution of ſuch Laws as compell'd every *Roman* Citizen to § Marry at ſuch a determinate Age, under ſevere Penalties: And laſtly, by the promiſcuous ‖ Naturalization of all Foreigners.

To the Growth of the Multitude of the People may be attributed the Growth of their Power; for the Numbers of People are the true Guards of Liberty, and always oppoſite in Intereſt, and an over-match in Power to any aſpiring Faction. This Acceſſion of Strength to the Commons, together with their warlike Temper, inflam'd by perpetual Victory abroad, ſpirited them with a generous Senſe of Free-

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* Dionyſ. p. 66, 428. † Ib. p. 428.

§ Plut. in Cam. p. 235. Paneg. Maxim. & Conſt. p. 448. Feſtus in verbo Uxorium.

‖ Val. Max. l. 2, c. 9. Dionyſ. p. 66, 110.

dom, and made them diſdain Subjection to the Dominion of the few

Tenthly, The repealing the Law, § which forbad a common Intercourſe of Marriages between the *Patricians* and *Plebeians*; which rooted out that fatal Diſtinction between the two Orders, which had kindled ſo many Flames, and rais'd ſuch Storms in the State; but which being now repeal'd, eſtabliſh'd the whole Community on an equal Foot of Liberty: for as * *Livy* very well obſerves, *Omnia diſcrimina quibus ordines diſcernantur, libertate & concordia æquè imminuenda ſunt.*

This promiſcuous Communion of Marriages encreas'd both Orders, not only in Alliance but Intereſt; and by Degrees form'd them into one Body: for whereas formerly the Nobility, by Vertue of an imaginary Excellency peculiar to their Families, challeng'd the ſole Right of *Divination*, and conſequently engroſs'd all the great Poſts of Command; this Law introduc'd ſuch a Mixture and Confuſion of Blood, as cut off that Pretence, and made Way for the eaſy Reception of the

Eleventh Law, which gave the Commons a Right to be † elected into the Civil Government of the State, to be *Conſuls*, *Dictators*, *Prieſts*, and in Courſe of Time to be equally admitted to all the great Dignities and Offices of the Common-wealth.

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§ Liv. l. 4. c. 6.
† Ib. l. 6. c. 42.
* Ib. l. 30. c. 54. l. 34. c. 35.

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The Nobility being thus moulded into the Maſs of the People, and both Orders entitled to a common Right of enjoying the ſame Privileges and Dignities, the next Care of the People was to ſecure the preſent Settlement, by making timely Proviſion, That no ſingle Man, or Order of Men, by their Riches, Poſſeſſions or Authority, ſhould ſo over-ballance the reſt of the Community, as to aſpire to abſolute Dominion. In order to which, they made theſe following Inſtitutions.

1. The *Licinian* Law, which limited the Poſſeſſions of all private Men to * five hundred Acres of Land; which eſtabliſh'd the great Ballance of the Common-wealth, and would have render'd it Immortal, had the Law been effectually put in Execution.

2. The *Cincian* Law, which prohibited † the Payment of Fees and Penſions to all *Patrons* and Advocates: Whereas before the enacting of this Law, § the People were Tributary to the great Men and the Senators, who were the only Lawyers of the State: *Vectigalis jam*, ſays ‖ *Livy*, *& ſtipendiaria Plebs Senatui cœperat eſſe.*

3. The *Flaminian* Law, which enjoin'd that no *Senator* ſhould poſſeſs any ** Ship of conſiderable Burden; which hinder'd them from

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* Liv. l. 6. c. 35, 42. † Cic. de Senec. c. 4.
§ Tac. Ann. l. 11. c. 5. ‖ L. 34. c. 4.
** Liv. l. 21. c. 63.

enriching themſelves by the Gain of Foreign Trade and Commerce.

4. The Inſtitution of the ** *Leges Uſurariæ*, or the Laws reſtraining Uſury within moderate Bounds. The *Romans* had found by Experience the miſchievous Conſequence of high Intereſt for ††Money, and wiſely ſunk it, firſt to one *per Cent.* and then reduc'd it one half lower; and at §§ laſt utterly aboliſh'd all Uſury. Theſe Laws (as *Livy* ‖ remarks) were *haudquaquam Patribus lætæ*: for the *Senators*, by the Advantages * they had of commanding the Armies, and other Opportunities, were the money'd Men who exercis'd this unlawful Trade, and conſequently engag'd a Dependance of the Commons upon them, which the paſſing of this Law deſtroy'd; and likewiſe eſtabliſh'd the National Ballance entirely on Land, which the People had the largeſt Share of.

5. The Inſtitution of the *Leges Annales*, or the Laws † of determining the Age requiſite for enjoying all the great Magiſtracies of the Common-wealth. This Law cut off the early Ambition of young Men, and was one Way to prevent the ſame Perſons from being often in the ſame Dignities.

6. The Laws againſt canvaſſing and ſollicit-ing for § Places, which deſtroy'd the Freedom

** Liv. l. 7. c. 16, 27. †† Tac. Ann. l. 6. c. 16.
§§ Appian. p. 645. Edit. Amſt. 1670. Octavo.
‖ L. 7. c. 42. * Dionyſ. p. 232.
† Liv. l. 40. c. 43. Cic. Philip. 5. c. 17. Paneg. Theod. p. 503. § Liv. l. 7. c. 15. l. 9. c. 26. l. 4. c. 25.

of

of Elections (of which a Common-wealth ought to be tender) and laid open all the great Honours to Bribery and Corruption, inſtead of Virtue and Merit; which is always fatal to the Liberties of a free State, as *Lucan* finely Remarks:

* ——— *Lethaliſq; ambitus urbi*
Annua venali referens certamina Campo.

7. The Laws in Force againſt the Continuation of † Magiſtracy; for nothing ſooner diſſolves a Common-wealth than the Continuance of § Authority too long in the ſame Hands. It likewiſe ſubverts that ſucceſſive Change of Magiſtracy, which is the ** fundamental Conſtitution of all equal Governments, where the whole Community ought to have their Turns of commanding and obeying: *Viciſſitudo imperandi, quod unum exaquandæ libertatis eſt*, ſays †† *Livy*.

8 The Laws againſt Accumulation of §§ Magiſtracy, directed to the ſame Ends with the former, leſt the Poſſeſſion of too much Authority ſhould tempt the Magiſtracy to invade the Liberties of the Nation. Plurality of Offices alſo deſtroys the free Rotation of Dignities; and is, as ‖ *Livy* truly ſays, *nec jure ullo, nec exemplo tolerabile liberæ Civitati* ——againſt all

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* L. 1. v. 180. † Liv. l. 7. c. 42. l. 10. c. 13.
§ Appian. de Bel. Civ. l. 1. ** Plut. in Coriol. p. 389.
†† L. 3. c. 39. §§ Liv. l. 7. c. 42.
‖ L. 39. c. 39.

Right and Equity, a dangerous Precedent, and never to be encourag'd and endur'd by a free Government.

9. The Limitation of thoſe Offices in Time, which were unlimited in Power, as the † *Cenſors* and *Dictators*; and the Limitation of thoſe Offices in § Power, which were unlimited in Time, as the whole Order of the ** *Clergy*, whoſe Juriſdiction was abridg'd under the popular Government (as I have prov'd at large) and little Diſtinction of †† Value and Authority left them after the Publication of the Laws, Rituals and ‖ Calendars, the Cuſtody of which they were antiently entruſted with. This Law was founded upon very good Reaſons; for, as †* *Livy* ſays *Maxima Cuſtodia libertatis eſt, ſi magna imperia non ſunt diuturna, & temporis modus imponeretur, quibus juris imponi non poſſet.*——

10. The making the fundamental Branches of their ¶ Conſtitution, as the Abolition of the Kingly Office, and the Inſtitution of the Magiſtracy of the Tribunes, ſacred and §§ unalterable, and confirm'd by the moſt Solemn Oaths and Engagements of the whole *** Body of the People, in the Name of themſelves and their Poſterity. Nor could any of the firſt Rate of Magiſtrates be admitted to ‡† act, till they had

† Liv. l. 9. c. 29. l. 4. c. 24.
** Cic. pro Muren. c. 11.
‖ Liv. l. 9. c. 46.
¶ Dionyſ. p. 205, 207.
*** Dionyſ. p. 303, 332, 336.
§ Val. Max. l. 2. c. 5.
†† Val. Max. l. 2. c. 5.
†* L. 4. c. 24, 42.
§§ Liv. l. 3. c. 55.
‡† Liv. l. 31. c. 50.

ſworn

ſworn to ſupport and maintain thoſe and all other Laws of the Common-wealth

11. The *Leges Tabellariæ*, or the * Inſtitution of voting by the *Ballot*, which was an Expedient found out to preſerve the Freedom of Elections, which were aw'd and influenc'd by the Greatneſs and Authority of the *Senators*. *Leges Tabellarias*, ſays † *Tully*, *Populus oppreſſus dominatu & potentia Principium flagitavit.* This ſingle Law repriev'd the Fate of the Common-wealth for an Age, after all the other popular Laws were aboliſh'd by Diſuſe, or openly invaded or broken in upon by the great Men. It was *Vindex Libertatis*, and the only Barrier which hinder'd the Ariſtocracy from ſubverting the popular Government, by engroſſing all the Magiſtracies of the State, which they could have commanded by their Intereſts and Dependencies among the People, if a Way had not been contriv'd to conceal the Suffrages of the Commons, and ſcreen them from the Reſentments of their *Patrons*. And in ſuch a Caſe, where the People are left to their own Liberty, they will make Choice not of thoſe whom they fear, but of thoſe whom the Eſteem and Love, for their own Engagement to the National Intereſt. Nor was the *Ballot* only reſtrain'd to the Election of Magiſtrates, but at § laſt was indifferently apply'd to all the Pub-

* Liv. l. 31. c. 5. † De Leg. l. 3.
§ Cic. de Leg. l 3.

lick Reſolutions and Determinations of the Aſſemblies of the People.

Upon the Ballance of theſe Orders and Inſtitutions ſtood the mighty Fabrick, Immortal from all inward Diſeaſes, and Invincible by any Foreign Attacks, had the ſame Conduct and Steddineſs of Counſels been directed to the Execution of theſe Laws, as were apply'd to the firſt founding of them. But the original Cauſes and Principles of the Corruption and Diſſolution of this admirable Government, ſhall be the Subject of another Diſcourſe.

AN

AN ESSAY UPON THE CONSTITUTION OF THE ROMAN GOVERNMENT.

PART. II.

IN the former Part of this Diſcourſe, I have attempted to take a ſhort Survey of the Civil and Eccleſiaſtical Conſtitution of the *Roman* Common-wealth, together with the various Changes and Revolutions of their Government, deduc'd from their true and natural Cauſes, down to the laſt great

great Reformation of their Government, and the Foundation of a more equal Common-wealth: And in the Concluſion of the whole, I have endeavour'd to give a brief Account of the chief Laws and Inſtitutions which ſo equally ballanc'd this laſt Eſtabliſhment, by ſuch a wiſe and proportion'd Diſtribution of Power among the ſeveral Orders, Councils and Magiſtrates, as render'd it ſo many Ages ſecure and unſhaken by foreign Force or domeſtick Rage.

The Subject of this following Part is the Declenſion and Decay of the *Roman* Government, with a free Enquiry into the original Cauſes and Principles, which, by inſenſibly corrupting their antient Laws, Diſcipline and Manners, reduc'd it in Concluſion to an abſolute Monarchy.

But before I enter upon this Argument, it may not be improper to remove ſome popular Calumnies, which have been raiſed in particular againſt the *Roman* Common-wealth, and againſt all free Governments whatſoever, by the Advocates for Tyranny. They object, that after the Recovery of their Liberty, the *Romans* immediately fell into Confuſion and Diſorder; that we find nothing in the Hiſtories of thoſe Times but Tumults and Seditions between the two contending Parties, no Stability in their Councils, nor Steddineſs in their Reſolutions, but all govern'd by popular Fury and Faction: to which they oppoſe the Quiet and Tranquillity of the Kingly Government; and upon theſe Grounds found all the Objections they make, in order to decry the popular Frames of Government. But that the

Weakneſs

Weakneſs of theſe Objections may more fully appear, I ſhall advance theſe following Obſervations:

1. That the Kingly Government was not free from Seditions.

2. That under the Kingly Government there was no ſufficient Security provided for the Liberties of the People.

3. That the Kingly Government was uncapable of making Conqueſts.

4. That the popular Seditions under the Common-wealth never came to Blood.

5. That they reform'd and perfected the *Roman* Government.

6. That there was no Seditions after the Common-wealth became more equal.

7. And that during this laſt Period the *Romans* conquer'd the World.

Nothing can appear more manifeſt * than the firſt Propoſition, that the Kingly Government was not free from Seditions: For by what other Name can we call ſo many Plots † and Conſpiracies, and the Aſſaſſination of no leſs than four Kings out of ſeven, and the Expulſion of a fifth? If it be objected, that theſe were only accidental Diſorders rais'd by the Ambition or Diſcontents of a few private Perſons; it muſt ſtill be allow'd, that altho' they were more particular in their Cauſes, they were more univerſal in their Effects than the Violence of any popular Com-

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* Liv. l. 1. † Dionyſ. l. 1, 2, 3, 4.

motions;

motions: For what can the Rage and Folly of a Multitude commit equal to ſuch a deſperate Attempt, as diſſolves the Government at a Blow, and expoſes all to Anarchy and Confuſion; not to mention the dangerous Factions which exercis'd the Reigns of *Tarquin* and *Servius*, and which ended in the Murder of theſe excellent Princes? What Seditions were * rais'd upon the very † firſt *Interregnum*, and other Vacancies of the Throne? a Defect eſſential to the very Nature of elective Monarchy, where the ſupreme Command muſt of Courſe be more ſtrongly contended for than the annual and ſucceſſive Honours of a Republick.

2. Nor was there a ſufficient Security provided for the Liberties of the People under the Kingly Governments, for Want of a due Ballance to keep the Conſtitution ſteddy. The § Regal Authority was indeed limited by ‖ Laws; but Laws are dead Letters, and can make no Reſiſtance to the arbitrary Will of a Prince, unleſs there is ſuch a Force in the Government as is ſtrong enough to ſupport them. The Guard of Liberty, in moſt regulated Monarchies, has been plac'd in ſome popular Magiſtrates, who carefully watch'd all Innovations upon the Conſtitution, and had Authority to queſtion the Kings themſelves for any arbitrary or illegal Proceedings: Of this Na-

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* Dionyſ. l. 4. † Ib. l. 2.
§ Dionyſ. p. 65. ‖ Tac. Ann. 3. c. 26.

ture

ture were the *Ephori* at *Sparta* *, and the † *Juſtitia* at *Arragon.* In other mixt Governments, the Guard of Liberty was intruſted to frequent Aſſemblies of the People in Perſon, or by their Repreſentatives, who had a Right to enquire into the Management of their Rulers, and had Power ſufficient to face and defeat the ſtrongeſt League that could be form'd for the Subverſion of their Liberties. This Conſtitution chiefly prevail'd in the *Gothic* Governments eſtabliſh'd in *Europe.* The Wiſdom of other Nations limited the Regal Power, by placing the Sword in the Hands of the Subject; which was the beſt Security of all, and was the antient Conſtitution of *England*, whilſt the Power of the Militia belong'd to the Nobility and Gentry, in a Manner independent of the Crown. Theſe Inſtitutions were the Great Fences of Liberty in the moſt celebrated mixt Governments, both Antient and Modern, which were all wanting under the Kingly Government of *Rome.* § Popular Magiſtrates they had none, till the Tyranny of the Senate, after the Expulſion of the Kings, had brought them to have Recourſe to that Remedy. ‖ Aſſemblies indeed they had, but the Kings only having the Right of convening them, and nothing being to be propounded or debated in them, but with the Royal Approbation, 'tis no Wonder they prov'd

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* Nepus in Pauſania, c. 3. Plut. in Lycurgo, p. 79.
† Hottomanni Francogal.
§ Liv. l. 2. c. 33. ‖ Dionyſ. p. 66.

no

no ſtronger Defences againſt the Encroachments of the laſt Kings. The * Kings had likewiſe the abſolute Command of the whole Military Power of the State. I eaſily foreſee a plauſible Objection that may be urged, how it came to paſs then that the *Romans*, inſtead of falling into abſolute Slavery, got Ground upon the Monarchy, till they entirely aboliſh'd it. To which I anſwer, That † *Romulus*, about the latter End of his Reign, had made himſelf abſolute; but the Government being conferr'd on § *Numa*, a juſt and virtuous Prince, he disbanded the Guards, which were the chief Power of his Predeceſſor, and govern'd with great Moderation. This Example was purſu'd by the reſt, who all generouſly encreas'd the Privileges of the People; whether out of Fear or Virtue, I will not determine; for it is manifeſt it was not owing to the Conſtitution which could not preſerve them from *Tarquin*, who follow'd other Maxims. But altho' there was no Counterpoiſe in the Laws to Ballance the Regal Authority, yet the Liberty ſeems to have been in a great Meaſure ſupported by the mere Weight of the People, whoſe Property was the nobleſt Root of Liberty; which being at firſt planted by *Romulus*, and cheriſh'd by the ſucceeding Princes, and being attended with that Valour and Spirit which is the Effect of Eaſe and Plenty, made it a dangerous Adventure; eſpecially for

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* Dionyſ. p. 65. † Plut. in Rom. p. 6.
§ Plut. in Num. p. 117. vid. Cic. Philip. 5. c. 6.

Kings

Kings who did not inherit by Succeſſion, and three of whom were Strangers, to attempt upon their Liberties. But Errors in the Superſtructures may endanger the Fabrick, be the Foundation ever ſo well laid, as the *Romans* found to their Coſt under *Tarquin*; who claiming by Succeſſion, aſſum'd the Government without the Conſent of the People; and being back'd at firſt by the *Patrician* Intereſt, and by the keeping up foreign Guards, and having arm'd himſelf with a Power ſuperior to all Laws, turn'd the Government into an abſolute Tyranny; and had he reign'd long enough to have impoveriſh'd or corrupted the People, Liberty, in all Likelihood, would never have been reſtor'd; but fooliſhly diſobliging the *Patricians*, and putting Arms into the Hands of his oppreſs'd and couragious Subjects, he left an Example to all future Tyrants, that an Army of Freeholders will always turn their Swords againſt their Oppreſſors, whenever an Opportunity preſents it ſelf.

3. That the Kingly Government was incapable of making Conqueſts, there needs no other Argument to demonſtrate, than that ſo many warlike and victorious Princes, could not extend their Territories above * fifteen Miles beyond the the Walls of *Rome*. The little Progreſs the *Romans* made under the Monarchy, may be chiefly aſcrib'd to theſe following Reaſons.

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* Plut. De fortuna Romana, p. 547. Dionyſ. l. 4. p. 165.

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Their Military Diſcipline was not eſtabliſh'd till the Reign of * *Servius Tullius*, their laſt King except one; nor was it then brought to Perfection, but receiv'd continual † Improvements from the Experience of after Ages. § Their Armies receiving no Pay, were incapable of making long Expeditions.

We find in their Hiſtories but one ‖ *Colony* planted in their conquer'd Countries, from the Time of *Romulus* to the Reign of *Tarquinius Superbus*: An Omiſſion which made all their Victories ineffectual; Colonies being the only Way by which an Infant State can propagate her Empire, and which *Romulus* wiſely perceiv'd. The Maxim which the following ** Kings ſeem'd to purſue, was increaſing the Numbers of their People, by tranſplanting the Inhabitants of the Cities they had conquer'd into *Rome*, and incorporating them into the Common-wealth. This Inſtitution 'tis confeſs'd, was of excellent Uſe, but much inferior in all Reſpects to Colonies, as I ſhall endeavour to ſhew in the following Part of this Diſcourſe.

The Kings did not fall into the wiſe Meaſures of communicating the Rights of the City to the bordering States; which was a cheap and eaſy Way of enlarging their Territories, and practis'd with good Succeſs by the Common-wealth.

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* Eutr. l. 1. p. 8. Aug. de Civ. Dei. 3. l. c. 15.
† Liv. l. 8, c. 8. § Ib. l. 4. c. 59.
‖ Oſtia. ** Liv. l. 1. c. 33.

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The Kings did not fall into the wiſe Meaſures of communicating the Rights of the City to the bordering States; which was a cheap and eaſy Way of enlarging their Territories, and practis'd with good Succeſs by the Common-wealth.

Moſt of the Wars, which the Kings made, were defenſive; and we commonly find, that after they had vanquiſh'd their Enemies, they were content with an honourable Satisfaction for the Injuries committed; ſometimes with a bare Submiſſion, and often with vain * Titles of Honour beſtow'd on them by the conquer'd Countries, in Token of their Dependance, which ſignify'd little to hold them under a real Subjection: Theſe Conqueſts never failing to † Revolt upon the Death of the King, either preſuming on the unactive Genius of the Succeſſor, or pretending they lay under no Obligation to perform theſe Conditions with the Prince who came after.

Rome, in its Infancy, was encompaſs'd round with warlike and numerous Nations, living at their Eaſe under free and independent Governments, who contended bravely for their Liberties, and held the *Roman* Fortune long in Play: Under which Conſtitution Nations are very difficultly maſter'd by Monarchies, and ſeldom thorowly ſubdu'd, but by Common-wealths of greater Virtue and Liberty than their own.

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* Dionyſ. p. 145. † Ib. p. 119, 132, 138, 174, 183, 227. Liv. l. 1. c. 32.

4. That the Seditions of the *Roman* Common-wealth never came to Blood, is apparent from the * Authority of all their Hiſtories. 'Tis true, there was much Clamour and Violence in theſe popular Tumults, but their utmoſt Fury ended in a voluntary Retreat from the City: *Nondum erant tam fortes ad ſanguinem civilem —— & ultima rabies ſeceſſio a ſuis habebatur*, ſays † *Livy*. I would not be underſtood of thoſe Seditions which happen'd in the Corruption of the Republick, which were headed by mercenary Tribunes, to promote the ambitious Deſigns of ſome aſpiring Citizens; of which more hereafter.

5. That the Seditions of *Rome* perfected their Government. Seditions do not proceed from the Nature of Common-wealths in general; for many Republicks have been entirely free from them, as *Sparta*, *Venice*, &c. but from Defects in particular Conſtitutions. Ariſtocracies, where the Body of the People are excluded from the Adminiſtration, are moſt ſubject to theſe Diſorders; as is remarkable in the little Governments of *Italy*, which being all Ariſtocratical, were ſeldom free from § Commotions. The Reformation of Governments, which are ſo unequal in their Conſtitution, muſt be attended with popular Tumults and Violence; whilſt the Nobility contend for their hereditary Honours and Privileges, and the Commons ſtrive to reduce the Government to an

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* Dionyſ. p. 348. † L. 7. c. 40.
§ Dionyſ. p. 287. Liv. l. 24. c. 2.

Equality,

Equality. From this Cauſe aroſe all the Seditions of *Rome*; which, tho' for the preſent creating ſome little Diſorders in the State, introduc'd excellent Orders into the Government, and were ſucceeded by laſting Quiet and Tranquillity: So that upon the whole, theſe Seditions were of excellent Uſe to the Common-wealth. * *Et ſi omnes ſeditiones moleſtæ fuiſſent, juſtas tamen fuiſſe nonnullas; neque Reges ex hac Civitate exigi, neque Tribunos plebis creari, neque plebiſcitis toties Conſularem poteſtatem minui, neque provocationem, patronam illam Civitatis & vindicem libertatis, populo Romano dari ſine Nobilium diſſenſione potuiſſe*; as was truly and judiciouſly obſerv'd by *Craſſus* in his Defence of *Norbanus*.

I have inſiſted the leſs upon theſe two preceding Articles, becauſe little can be added to the Remarks which *Harrington* and *Macchiavel* have already made on the ſame Subject. I ſhall therefore conclude this Chapter with theſe two Remarks: 1. That notwithſtanding all that has been objected againſt the popular Commotions under Common-wealths, Monarchies are more ſubject to Seditions, which always come to Blood, and never reform the Government, unleſs they chance to diſſolve it; which is eaſily prov'd by comparing the Reigns of the twelve *Cæſars* with that Space of Time during which *Rome* was ſeditious, both Periods containing near the ſame Compaſs of Time. 2. That the Tranquillity of

* Cic. de Orat. l. 2. c. 48.

thoſe Monarchies, which happen to be free from Seditions, is an Argument that the Subjects are ſo impoveriſh'd, debas'd or diminiſh'd, by the arbitrary Violence and Oppreſſion of their Maſters, that they have neither the Will, the Courage, nor the Ability to ſhake off their Chains; which is the preſent Condition of moſt of the Monarchies in *Europe*. And who is there that would not prefer a factious Liberty before ſuch a ſettled Tyranny?

6. That *Rome* was free from Seditions, after the Government became more equal. The Senate, after the Expulſion of the Kings, tyrannizing over the Commons, compell'd them, for their own Preſervation, to create new Magiſtrates out of their own Order, call'd *Tribunes*; under whoſe Conduct they gradually diminiſh'd the Power of the Ariſtocracy, till at laſt they utterly extinguiſh'd it, and eſtabliſh'd the whole Body of the People upon an equal Foundation of Liberty. This gradual Reformation ſeems to have been compleated at the Creation of the firſt *Plebeian* Conſul, three hundred eighty ſix Years from the Foundation of the City. The Introduction of Equality into the Government may be beſt plac'd at this Juncture, when the higheſt Station in the Common-wealth was communicated to the *Plebeians*, which *Livy* juſtly calls the * *Arx* and *Columen Libertatis*; and which, as the ſame † Author obſerves, after long and violent

* L. 6. c. 37. † L. 6. c. 42.

Contentions,

Contentions, begot an univerſal Concord and Union. After this Time, the Nobility made little * Oppoſition to any popular Laws: *Aſſueti jam tali certaminum genere vinci*, ſays *Livy*. Nor did there happen any domeſtick Diſorder, in near two hundred and forty Years, which deſerves the Name of Sedition, except a light Tumult of Debtors and Bankrupts, who retired in a Rage to Mount † *Janiculus*, but which is omitted by ſeveral Hiſtorians in the Catalogue of the *Roman* Seditions. I am not ignorant that other § Writers make this Sedition more conſiderable; but all Authors agree that it was compos'd without Bloodſhed by ‖ *Hortenſius* the Dictator, and that it ended in the Revival of an excellent but antiquated Law. From this Tumult, which happen'd in the four hundred ſixty ſeventh Year of the City, to the Sedition of *Gracchus* in the ſix hundred and twentieth Year of the City, *Rome* enjoy'd a profound Quiet and Proſperity, not interrupted by the leaſt Domeſtick Diſſenſion: An Example of laſting Tranquillity, that can be parallel'd in no Monarchy whatſoever. This Interval of Time was the moſt happy and moſt glorious Period of the ** *Roman* Common-wealth, and gave Riſe to that Valour and Induſtry which ex-

* L. 10. c. 6.
† L. Flor. Luc. Ampelius, Oroſius.
§ Liv. Epit. l. 11. Aug. de Civ. Dei, l. 3. c. 17.
‖ Plin. Nat. Hiſt. l. 16. p. 239.
** Flor. l. 2. c. 19. Sal. Frag. p. 410.

tended their Conqueſts over the World. And this leads me to the laſt Propoſition I advanc'd;

7. That the *Romans*, during the Equality of the Common-wealth, ſubdu'd the Univerſe.

I have already aſſign'd the moſt probable Reaſons which interrupted the Progreſs of the *Roman* Conqueſts under the Monarchy. After the Expulſion of the Kings, the *Patricians* aſſum'd the Government, and fell naturally into the defenſive Maxims, which all Ariſtocracies do or ought to purſue. 'Tis evident, from the whole Tenor of their Hiſtories, that they aim'd only at the Quiet and Preſervation of their Government; that the Wars they at firſt undertook were juſt and neceſſary, either to repel or revenge a foreign Invaſion: But Fortune, which ſo often ſeconded the Virtue of *Rome*, wou'd not ſuffer the mighty Genius of that People to languiſh in Obſcurity, and found Means to interrupt the Eſtabliſhment of thoſe ſlothful Meaſures, by foreign Wars or domeſtick Diſcord; both which, by a ſtrange Fatality, equally conſpir'd to the Riſe and Growth of the *Roman* Greatneſs.

After the Baniſhment of the Kings, the * *Roman* People made a wonderful Progreſs in all Kinds of Virtue; and the Indulgence of the Senate in the firſt Years of their Adminiſtration, had ſo rais'd their Spirits, that the following Oppreſſions of the Nobility, inſtead of melting and quelling them, ſerv'd only to inflame their Minds, who were content with Liberty before, to con-

* Cic. Quæſt. Tuſ. l. 4. c. 1. Salluſt. Catil. c. 7.

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tend for Honour and Dominion with their proud and imperious Maſters. To divert theſe dangerous Contentions at Home, the * Nobility enter'd into Wars abroad, not with Deſigns of Conqueſt, but either to prevent or puniſh a domeſtick Sedition; chuſing rather to be vanquiſh'd in the Field by their Enemies, than to have hard † Laws impoſed on them in the City by the victorious Tribunes.

Colonies, the beſt Way of ſecuring their Acquiſitions, were very § ſeldom and very unwillingly planted; ſometimes to appeaſe a popular Tumult, at other Times to prevent ‖ Diviſions of Land nearer home, or elſe to encourage the Commons to take up Arms more cheerfully, to reſiſt a dangerous Invaſion which threatned them from abroad. Such were the Deſigns and Policy of that Government; and 'tis no Wonder in ſuch a divided State and ſuch diſtracted Counſels, if the Progreſs of the *Roman* Arms were in a Manner at a Stand. But this Advantage they reap'd from their foreign Wars and civil Diſſenſions, that the one perſerv'd the Courage and Diſcipline of their Armies, and the other reform'd the Conſtitution of their Government. But Conqueſt and Dominion were reſerv'd to complete the Felicity of a free and impartial Common-wealth,

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* Dionyſ. p. 265. Liv. l. 2. c. 28, 32. l. 4. c. 5, 58.
† Liv. l. 4. c. 1.
§ Liv. l. 5. c. 24. l. 6. c. 16. l. 4. c. 36, 47, 49, 51, 58.
‖ Ib. l. 3. c. 1. l. 4. c. 51. l. 6. c. 21.

the Eſtabliſhment of which I place at the three hundred eighty ſixth Year of the City, when the Conſulſhip was laid open to the Commons, and the *Licinian* Law enacted, which was the chief Strength of the popular Conſtitution of Government.

After this Reformation of the Common-wealth their Affairs quickly aſſum'd another Face: That Virtue and Ambition which had been ſo long oppreſs'd by the Faction and Dominion of the few, had a free Scope to exert it ſelf, and a wide Field to range in: *Hinc majora bella*, ſays * *Livy*; at this Time they began to aſpire to the Dominion of *Italy*: And altho' they were weakened by the Revolt of their old Allies the *Latines*, and attack'd about the ſame Time by the *Samnites*, the moſt warlike, and the *Tuſcans*, the richeſt and moſt populous Nation of *Italy*; yet their unweary'd Virtue and Induſtry overcame all theſe Difficulties, and in leſs than a hundred Years reduc'd all *Italy* under their Obedience, which had held them at a Bay for ſo many Ages before. *Pyrrhus* was an eaſy Triumph; and the *Carthaginians*, who diſputed the Empire of the World with them in three long and bloody Wars with various Succeſſes, being at length born down by the mere Weight of their Conſtitution, as † *Polybius* obſerves; and *Philip* with *Antiochus* and *Perſeus*, being an unequal Match for their Arms, they remain'd, in Concluſion, the abſolute Maſ-

* L. 7. c. 29. † P. 373, 687.

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ters of the Univerſe. This amazing Progreſs of their Conqueſts may be chiefly aſſign'd to theſe following Reaſons:

That their Domeſtick Factions being extinguiſh'd, left them at Liberty to purſue their foreign Conqueſts.

That the Counſels of popular Aſſemblies are more Bold and Couragious than the Reſolutions of Senates and Princes. There is a certain natural Vigour that animates the Debates of a Multitude, and has often-times a Mixture of Raſhneſs in it; a Defect, 'tis confeſs'd, but flowing from a noble Principle. To what other Cauſe can be aſſign'd the vaſt Hopes and ambitious Deſigns of the States of *Athens*, *Carthage*, and other Governments, where the People bore the greateſt Sway, but to an Exceſs of Courage, flowing from Liberty and Equality, which rais'd the ſame Spirit and Diſpoſition in the *Romans*; but regulated by wiſer Orders, ſtrengthen'd by better Diſcipline, and founded on a larger Bottom?

And to this, that Fame, Ambition and Avarice, the common Inducements to all great Undertakings of this Nature, reign very ſtrongly in popular Aſſemblies, where the Spoils or the Honour are to be divided among a Multitude; which is more hard to ſatisfy, than the private Glory or Profits of a Prince or a Senate.

To this may be join'd the Virtue and Emulation of their particular Magiſtrates and Commanders, with which a Common-wealth will always abound, where the ſupreme Dignities are annual and ſucceſſive, and are the never-failing Reward of the higheſt Deſert and Abilities. Theſe

Theſe were the principal Cauſes that gave Riſe to thoſe Counſels, which led them to all their ſucceeding Greatneſs. For whereas the Wars under the Ariſtocracy were chiefly defenſive, and carry'd on with more Fury than Perſeverance, * *Magis impetu quam perſeverantiâ*, the Conqueſt of *Veii* being the only conſiderable Acquiſition made in a hundred and forty Years; under the popular Government, the Avarice of the People, the Courage of the Soldiers, and the Emulation of the Generals, made the † *Romans* commonly the Aggreſſors. Wars were undertaken upon ſlighter Grounds, purſu'd with more Obſtinacy, and concluded with greater Advantage. This remarkably appears in the firſt § *Punick* War, which was voted and reſolv'd on by the People, in Conjunction with their Conſuls, againſt the expreſs Authority and Approbation of the Senate; and was the firſt Foreign Expedition they ever undertook.

To which may be added, the advantageous Situation of *Rome* for the Conqueſt of ‖ *Italy*, and of *Italy* for the Conqueſt of the World; and that the Governments of *Italy* were leſs Warlike in Proportion to their Diſtance from *Rome*, and leſs obſtinate Lovers and Defenders of their Liberty. Nor was the Juſtice and Magnanimity of the *Romans* to their conquer'd Na-

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* Liv. l. 5. c. 6. † Ib. l. 9. c. 1, 20, 41. l. 10. c. 5.
§ Polyb. p. 13, 14. 89.
‖ Liv. l. 5. c. 54. l. 7. c. 32.

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tions, a ſmall Inducement to Foreign Nations to ſubmit to their Government; which was rather the Patronage than Empire of the World.

Beſides theſe general and more remote Conſiderations, I ſhall aſſign ſome particular Cauſes, which concurr'd more immediately to the Growth and Preſervation of the *Roman* Conqueſts.

The Perfection of their military Diſcipline, which I ſhall handle ſo far forth as it bears any Relation to the Conſtitution of the Civil Government.

The vaſt Increaſe of their People, after the Equality of the Government; their excellent Way of maintaining their Conqueſts by Colonies at firſt, by equal Leagues afterwards, and at laſt by unequal Leagues and Provincial Governments.

The vaſt Increaſe of their Numbers will beſt appear, by preſenting the Reader at one View with all the Muſters or Surveys of their Citizens which are extant, and in the Order they were taken down, as low as the Time of *Sylla*.

Anno Urbis Conditæ.	Fighting Men.	Authors.
1	3,300	*Dionyſ.* l. 2. p. 59
37	47,000	—— l. 2. p. 67
Under *Serv. Tull.*	84,700	—— l. 4. p. 167
245	130,000	—— l. 5. p. 216
256	150,700	—— p. 250
260	110,000	—— p. 307
279	103,000	—— p. 437

Anno

Anno Urbis Conditæ.	Fighting Men.	Authors.
288	124,215	*Liv.* l. 3. c. 3
294	132,409	—— c. 24
361	152,580	} *Euseb. Chron.*
410	160,000	
435	250,000	*Liv.* l. 9. c. 19
460	262,000	—— l. 10. c. 47
464	273,000	*Liv. Epit.* l. 11
474	278,222	*Liv. Epit.* l. 13
478	271,224	—— l. 14
489	292,224	—— l. 16
502	297,797	—— l. 18
506	251,222	—— l. 19
512	260,000	*Euseb. Chron.*
533	270,213	*Liv. Epit.* l. 20
546	137,108	*Liv.* l. 27. c. 36
549	214,000	—— l. 29. c. 37
560	243,704	—— l. 35. c. 9.
565	258,308	—— l. 38. c. 36
574	273,244	*Liv. Epit.* l. 41
580	269,015	*Liv.* l. 42. c. 10
584	312,810	*Liv. Epit.* l. 45
589	337,452	*Plut. in Æmil.*
594	328,314	*Liv. Epit.* l. 47
599	324,000	—— l. 48
606	322,000	*Euseb. Chron.*
611	328,342	*Liv. Epit.* l. 54
617	323,000	—— l. 56
622	313,822	—— l. 59
628	390,736	—— l. 60
638	394,336	—— l. 63
667	463,000	*Euseb. Chron.*

From

From this Scheme it is evident, that the People multiply'd very faſt under the Kingly Government; that their Stock was very much diminiſh'd under the Beginnings of the Ariſtocracy, and increas'd prodigiouſly after the Common-wealth became equal: for from the general Survey in the Year 410. Not long after the laſt Change of their Government, to the Year 435, we find an Increaſe of 90,000 Inhabitants. How the Growth of their Numbers conduc'd to the Inlargement of their Empire, will appear by the next Article of Colonies.

Colonies were of excellent Uſe to the Common-wealth: (1.) To inlarge their Empire, * *Coloniis occupari latiùs imperii fines.* (2.) To defend their Borders againſt a Revolt of their Allies: † *Subſidia adverſus Rebelles.* (3.) To multiply their People, § *Augendæ ſtirpis cauſa.* (4.) To tranſplant their poor Citizens, ** *Coloniis Sentina Urbis exhauſta.* (5.) To prevent Seditions, †† *Plebem quietam deducta in Coloniis multitudo præſtabat.* (6.) To reward their §§ *Veterans.* To which may be added, the preſerving the popular Ballance by ſuch large Diviſions of Land to the Commons, and the infuſing the *Roman* Manners and Diſcipline into the conquer'd Provinces: *Imbuendis Sociis ad officia Legum,* ſays ‖ *Tacitus.*

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* Liv. l. 1. c. 56.
§ Liv. l. 27. c. 9, 10.
†† Liv. l. 10. c. 6.
‖ Ann. l. 12. c. 32.
† Tac. Ann. l. 12. c. 32.
** Cic. ad Att. Ep. 18. l. 1.
§§ Ib. l. 31. c. 4, 49.

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The firſt Inſtitution of Colonies was owing to the Wiſdom of *Romulus*, who planted ſeven: but his Example was ill purſu'd by his Succeſſors, there being only one more planted between his Reign and that of *Tarquin* the Proud, who planted two more.

The Ariſtocracy, as they made little Progreſs in their Conqueſts, ſo by Conſequence ſent forth very few Colonies, not above Ten or Twelve in the Compaſs of a hundred and forty Years.

Under the Popular Government, when Liberty and Equality had remov'd all the Obſtacles which controll'd the conquering Genius of that mighty People, they extended their Colonies and their Victories over all *Italy*; having from the Year 336, to the ſecond *Punick* War, planted forty; and from thence to the Sedition of *Gracchus* twenty more, with much greater Numbers of Citizens, larger Proportions of Acres, and at much greater Diſtances from *Rome* than formerly.

The Inſtitution of planting Colonies was of greater Benefit to the Publick, than tranſplanting the Inhabitants of the conquer'd Cities to *Rome*: a Method that ſerv'd only to increaſe the Numbers of their Citizens, which the other did more effectually, by providing a larger Subſiſtence for them; not to repeat the other Advantages of Colonies, which were all wanting in this Inſtitution.

The prodigious Increaſe of their Inhabitants enabled the *Romans* to plant ſuch a Barrier of Colonies on the Frontiers, as more effectually maintain'd

maintain'd all their Conqueſts, than Treble the Number of Garriſons cou'd have done; which being compos'd of regular Forces, kept up in conſtant Diſcipline and Pay, wou'd have conſum'd their People, created a vaſt Charge, and certainly have deſtroy'd their Liberties: whereas their Colonies ſtill retain'd their Reverence for their * Mother City, and were the only Support of the *Roman* State, when they were ſunk by ſo many Loſſes in the ſecond *Punick* War.

Rome, as *Harrington* judiciouſly obſerves, in her Riſe proceeded by Colonies: for the Acquiſitions of an Infant Government muſt be retain'd in Subjection by an actual Force, till the Terror and Reputation of their Arms can procure a Submiſſion and Obedience to their bare Authority.

Rome in her Growth proceeded by Leagues, either equal, as the Alliance with the *Latines* and other Nations, on whom the Rights of the City were beſtow'd; which was an excellent Policy to propagate their Empire, and rarely practis'd by the preceding Governments: or unequal, as the *Jus Italicum*, which was a Donation of the City without Suffrage, or by Provincial Governments. But for this laſt Article, I ſhall refer the Reader to *Sigonius*, who has handled it with great Judgment and Accuracy,

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* Liv. l. 27. c. 9, 10.

and

and ſhall content my ſelf with making two Obſervations.

1. That the Subjects of the *Romans* * liv'd under the mildeſt Adminiſtration, and the gentleſt Yoke in the World; which ingag'd them in a willing Obedience and voluntary Submiſſion to a Nation of greater Virtues than their own, without thoſe frequent Tumults and Rebellions with which Oppreſſion and Tyranny are always attended.

2. That the *Roman* Policy ſecur'd their † Conqueſts with ſo much Eaſe, and ſo effectually, that there is hardly any Example to be found in all their Hiſtories that they ever ſurrender'd one Spot of Ground, of which they had once got the Dominion.

But 'tis Time to return from this long Digreſſion, and reſume the Subject of my Diſcourſe.

The Reaſons of the Corruption and Ruin of the *Roman* Common-wealth, may be reduc'd to theſe general Heads.

The negligent Execution of the Laws and Orders on which the Popular Government was founded.

Some original Defects in the firſt Conſtitution of the Government.

And laſtly, to ſome ſucceeding Laws and Inſtitutions in favour of an Ariſtocratical Government, or of an abſolute Monarchy.

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* Liv. l. 5. c. 27.

† Am. Marcel. p. 339. Zoſim. p. 192.

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The ill Execution of the Laws and Orders on which the Popular Government was founded, proceeded from theſe two Cauſes.

1. That the Government was not often enough reduc'd to its firſt Principles.

2. From the Alteration of their Way of living. *Cicero* *, and from him *Macchiavel*, and other modern Writers of Politicks, lay down for a certain Maxim, That Common-wealths cannot ſubſiſt, unleſs they are frequently renew'd by their Magiſtrates, either by reviving the Reverence and Terror of the Laws, or by reſtoring the Antient Virtue and Diſcipline, or by a Thorow Reformation of thoſe Corruptions and Diſorders, which Length of Time, a looſe Adminiſtration, and the Depravity of Human Nature will Introduce into the Soundeſt and Firmeſt Conſtitutions of Government.

This † *Macchiavel* ſtiles reſuming the Common-wealth, and reducing it to its firſt Principles, of which there are many memorable Inſtances in the Riſe of the Popular Government.

Theſe Renovations of the *Roman* Common-wealth were effected either by their ordinary Magiſtrates; as the *Tribunes*, to whom the Guard of Liberty, or the *Cenſors*, to whom the Inſpection of their Diſcipline, Manners, and Suffrages was committed; or elſe by extraordinary ones, as the Dictators, who were commonly created

* Frag. l. 5. de Republ.
† Diſcorſ. l. 3. c. 1.

upon ſome great and ſudden Emergency, either to reſiſt a foreign War, or to correct ſome domeſtick Diſorder. Under the Vigilance and Conduct of theſe Magiſtrates, for ſome Ages after the Inſtitution of the Popular Government, the Adminiſtration was ſteddy and regular; thoſe Laws which were the great Fences of Liberty, were ſtrictly obey'd, or ſeverely executed, as the * *Licinian* and the † *Uſurary* Laws, *&c.* and others whoſe Authority was decaying were reviv'd and re-enacted, as the Law of § Appeals to the People, which was thrice renew'd: another, that a Vote of the Commons without the Concurrence of the *Senate*, ſhould have the Force and Authority of a Law, was as often reviv'd. ‖

'Twould be endleſs to enumerate Examples of this Kind, during the Purity of the Common-wealth; by which the Conſtitution was ſo often ſtrengthen'd and reinforc'd. To this Rigour and Severity ſucceeded a looſe and negligent Adminiſtration; the Vigour and Influence of their Laws was aboliſh'd by Diſuſe; and the beſt Conſtitution in the World, not being renew'd or reviv'd, departed from the Principles on which it was firſt founded, and was intirely ſubverted.

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* Liv. l. 7. c. 16. l. 10. c. 13.
† L. 7. c. 28. l. 10. c. 23. § L. 10. c. 9.
‖ Liv. l. 3. c. 55. l. 8. c. 12. Plin. l. 16. p. 239.

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This fatal Management ſeems to owe its Riſe to the following Occaſions.

1. The miſtaken Liberty which the People aſſum'd of diſpenſing with the moſt fundamental Laws of their Conſtitution, as the * *Leges Annales*, and the Laws againſt † Continuation of Magiſtracy, with many others which ought to have been ſacred and unalterable.

The ſupreme Power of a Nation, 'tis confeſs'd, can be bounded or limited by no precedent Laws; but in ſuch Caſes it would have well become the Wiſdom of the People to have laid a voluntary Reſtraint on their own Authority, and have had Recourſe to the *Dictatorian* Power, or any other Expedient, rather than to expoſe and weaken the great Bulwarks of their Conſtitution, by aſſuming ſuch a diſpenſing Power; which, altho' at firſt it was exercis'd upon good Grounds (as all evil Precedents have good Beginnings) yet in Proceſs of Time, had a dangerous Influence on the Common-wealth. For this popular Levity of diſpenſing with their moſt Solemn § Orders and Inſtitutions, fram'd by the united Wiſdom and Experience of ſo many Ages, diminiſh'd by Degrees the ‖ Reverence and Reputation of the Laws; and led

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* App. p. 114. Liv. l. 10. c. 13.

† Plut. in Cæſ. p. 1308. in Cat. p. 1420. Suet. in Jul. c. 18. Dion. Caſſ. p. 15. Aſcon. Pedian. in Cornel. Cic. de Rep. l. 3.

§ Liv. l. 7. c. 17. l. 9. c. 33.

‖ Liv. l. 10. c. 13.

them naturally to conclude, That thoſe Laws which at ſome Junctures were judg'd inconvenient, were at all Times unneceſſary: and altho' there was an outward Appearance of Liberty in the Maxim, on which this Proceeding was founded, to wit, that the laſt Reſolution of the People was the undoubted Law of the Common-wealth; yet nothing can be more certain, than that no Conſtitution can ſubſiſt, where the whole Frame of the Laws may be ſhaken or ſuſpended, by the ſudden temporary Counſels of a Multitude, and where the Laws are govern'd by the People, inſtead of the People's being govern'd by the Laws. In After-times † the Exerciſe of this Power was aſſum'd, and in a Manmen engroſs'd by the Senate, till the People, after they had miſcarry'd in an Attempt to reſtore it to their own Aſſemblies, were content to divide it with the Senate, under certain Reſtraints and Limitations.

But the Common-wealth gain'd little Advantage by this Alteration; the Power being equally pernicious, in whatever Hands it was plac'd. In former Times, 'tis confeſs'd, it was rather dangerous in Example than Fact: but in the corrupt Ages of the Government, it gave a Riſe to that fatal Neglect in the Obſervance of all the Laws, ſo eſſential to their Conſtitution; and made Way for the ſeven Conſulſhips of

† Dion. Caſſ. p. 19. Aſco. Ped. in Cornel. Val Max. l. 4. c. 14, 15. App. p. 716.

Marius,

Marius, the early and multiply'd Honours of *Pompey*, and the long Continuation of *Cæſar*'s Command in *Gaul*; which are on all Hands allow'd to have been the direct and immediate Cauſes of the Ruin of the Common-wealth.

2. Another Reaſon was the Omiſſion or Alteration of the Cuſtom of Accuſing. The Laws can never be maintain'd in Force in a Nation, where 'tis held diſhonourable to Accuſe: For which Reaſon, all wiſe Common-wealths have cheriſh'd and encourag'd, by Rewards and Marks of Honour and Diſtinction, Accuſations of all Publick Offenders *. At *Rome*, in particular, Accuſers were held in great Eſteem; ſuch Men being reputed the Defenders of the Laws, and the Guardians of the Conſtitution. Their greateſt Men commonly entred the World with the Proſecution of ſome eminent Delinquent †. Nor did the higheſt Perſons in the State, § *Scipio*, *Cato*, and others, think it a Diſparagement, after all their Honours, to undertake this Province.

The Laws had their due Weight and Authority, whilſt they were defended by ſuch excellent Patrons; but in After-times, and in a more degenerate Age, they were abandon'd by their Champions. Accuſations ** were generally de-

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* Cic. in Ver. c. 22.——pro Roſc. c. 20.
† Plut. in Lucul. p. 393. Cic. pro Cælio, c. 30.
§ Cic. in Ver. c. 22. Apuleii Apol. p. 299.
** Cic. in Ver. c. 22.

clin'd by the Men of Rank and Dignity, and ſeldom or never undertaken unleſs by mean and mercenary Informers, or raw and unskilful Youths: So that the Laws in a Manner were left unguarded and defenceleſs; and what an Effect this muſt have upon the Conſtitution, I leave every Man to judge, and the Event ſufficiently declar'd. 'Tis true, * *Cicero*, and others, began to revive the old Cuſtom of Accuſing; but 'twas then too late, the Corruption of the Common-wealth being too Big for the Laws, and obſtinate to all Remedies.

Nor was the Authority of many of their Laws arm'd with ſuch Sanctions and Penalties as were neceſſary to imprint that Awe and Terror on the Minds of the People, which alone can diſpoſe them to Obedience. The famous Law of † Appeals was guarded by no other Sanction than a bare Declaration, that the Breach of it ſhould be eſteem'd a wicked Action: nor were their other Laws, except ſome few of their fundamental ones, back'd with ſeverer Puniſhments. The ordinary Rigour of their Laws, extended only to Ignominy, or pecuniary Mulcts; Death being ſeldom inflicted, unleſs in Caſes of High Treaſon, Parricide, or Crimes of an extraordinary § Nature. Baniſhment in it ſelf was no Penalty, but a Refuge to avoid

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* Cic. in Ver. c. 22. † Liv. l. 10. c. 9.
§ Cic pro Cœcin. c. 34.

the

the Puniſhment of the Laws: Disfranchiſement or Deprivation of Liberty, were Penalties, if we may believe † *Cicero*, above the Reach of the ſupreme Power of the Common-wealth to inflict; even pecuniary Mulcts § were antiently limited to ſome determin'd Sums, not to be exceeded.

But ſucceeding Ages, in a Manner aboliſh'd all the Power of the Laws, by ** exempting their Citizens from all corporal Puniſhments, and allowing the higheſt Offenders to evade the Sentence of the Laws, by retiring into a †† voluntary Exile. The Moderation of the *Roman* Laws was the worſt Part of their Conſtitution; and in ſome Junctures, as the Attempt of *Saturninus*, *Catiline*, *&c.* wou'd have endanger'd the very Being of the Common-wealth, if the Senate and Magiſtrates had not exerted an illegal, but neceſſary Power, for the Preſervation of the whole. But withal, it gives one a ſtrange Idea of the Excellence of the *Roman* Diſcipline and Manners, which flouriſh'd for ſo many Ages, by a mere Senſe of Honour and Fear of Ignominy, with ſo little Dread or Apprehenſion of ſeverer Puniſhments.

That the Common-wealth was not oftner reduc'd to its firſt Principles, chiefly aroſe from the Reaſons I have alledg'd; to which may be

† Cic pro. Cœcin. c. 34. § Dionyſ. p. 432.
** Liv. l. 10. c. 9. Sall. in Catilin. c. 5.
†† Dionyſ. p. 484.

juſtly added, certain Defects and Errors in the Nature and Power of thoſe Magiſtrates, to whoſe Charge the Preſervation of the Laws was committed, as the *Tribunes* and *Cenſors*.

In the Inſtitution of the *Tribunitian* Power, there was this original Defect, that the Number of the *Tribunes* was too great: They were at firſt Five, but their Number was afterwards increas'd to * Ten, which the People weakly imagin'd to be an Acceſſion of Strength and Honour to the Magiſtracy: But the Senate wiſely perceiv'd, that the Increaſe of their Number wou'd be a Diminution of their Power, as it prov'd in the Event; for every ſingle *Tribune*, by Vertue of his Office, being arm'd with a Power of putting a full Stop to all Proceedings whatſoever, as well of the † People as of the Senate, they ſeldom found it a difficult Matter, out of ſo great a Number, to engage one § corrupt *Tribune* to hinder the Reſult of all the popular Counſels, and defeat the Deſigns of the other Nine, how unanimous ſoever for the publick Advantage.

Of this Kind it wou'd be endleſs to produce Teſtimonies; ſo many Examples occurring in the *Roman* Hiſtories of mercenary *Tribunes* forbidding the paſſing of new popular Laws, or the Revival and Execution of old ones. But this Defect was ſucceeded by a worſe, I mean the ‖

* Dionyſ. p. 484.
† Liv. l. 2. c. 44. l. 4. c. 48. l. 6. c. 35.
§ Dionyſ. p. 484.
‖ A. Gell. l. 14. c. 8.

Atinian

Atinian Law, which permitted Senators to be choſen *Tribunes.* This Law deſtroy'd all the good Effects of the *Tribunitian* Power, and perverted the Ends of its Inſtitution: For the *Tribunes* were at firſt created to be a Check on the Senate, and for that Reaſon compos'd of Men of a different Order and Intereſt; Senators being expreſly excluded from that Office, and the two Employments judg'd inconſiſtent; the antient Policy thinking it abſurd to imagine, that a Senator in ſuch a Station wou'd ever act for the Advantage of the Commons, againſt the Intereſt of his own Order. Theſe were apparent Defects in the Powers and Qualifications of the *Tribunes*; the firſt rendring them in a Manner uſeleſs and ineffectual, and the ſecond dangerous and pernicious: And the ill Effects of both on the whole Conſtitution of the *Roman* Government, are obvious at firſt View to every Man who conſiders the excellent Uſe of the *Tribunitian* Power, whilſt it continu'd on its antient Eſtabliſhment.

The Office of the Cenſors was one of the nobleſt Inſtitutions of the Common-wealth; their ordinary Juriſdiction extended to the Regulation of private Expences, the enacting of ſumptuary Laws, the farming the Revenues, and the Reformation of dangerous Abuſes and Diſorders in the popular Aſſemblies; of which laſt we have many * Examples. But their chief Province was

* Liv. l. 9. c. 46. Epit. l. 20. Cic. de Orat. l. 1. c. 9.

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to direct * and preſerve the publick Diſcipline and Manners, to preſide at the Tribunal of Fame, to reward the Brave and Virtuous with Marks of Honour and Diſtinction, and to brand the Degenerate and Corrupt with Diſhonour and Ignominy.

This Inſtitution was of admirable Uſe in maintaining the Morals and the Virtue of the People; and at the ſame Time highly contributed to ſupport the Vigour of the Laws, and to preſerve or reſtore the Conſtitution to its firſt Principles: For 'tis a certain Maxim, that as † good Laws make good Men, ſo good Men defend good Laws, and are both a mutual Defence to each other. But there was this eſſential Defect in the Frame of this Office, that there were two Cenſors inſtead of one; for all great Commands are better § manag'd by a ſingle Perſon than by many, eſpecially ſuch as require the utmoſt Rigour and Severity in their Execution. For Power divided between many, naturally produces Diſcord, of which we have many remarkable Examples in the Cenſorſhips of *Scipio* and *Mummius*, *Livius* and *Claudius*, *Craſſus* and *Domitius*, and many others, who all by their Diſcord and Diſſenſion deſtroy'd the good Effects of their Magiſtracy, which depended ſolely on their Concord and Unanimity; both enjoying an equal Authority, and either of

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* Liv. l. 45. c. 15.
§ Liv. l. 3. c. 79.
† Cic. Fragm. de Rep. l. 5.

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them having Power to vacate the Degrees of his † Collegue. But in ſucceeding Ages this § Magiſtracy was intermitted for many Years. 'Tis true, it was ſome Time after reviv'd, but with ſuch Limitations in it's ‖ Powers and Authority, as diſabled the Cenſors from reſiſting that Torrent of Corruption which firſt overthrew the Diſcipline, and afterwards the Liberties of *Rome.*

Another Reaſon which ſeems to have very much contributed to the ſteddy Support of the Conſtitution upon its original Principles, was, that after the Riſe of the popular Government, there aroſe every Age, Men of ſuch ſuperiour Virtue and Merit, as by their Example gave an Influence and Authority to the Laws; who made a reſolute Stand againſt all Innovations upon the great Fences of their Liberties, and either maintain'd or reviv'd their antient Conſtitution. But in After-times the Common-wealth was deſtitute of ſuch Supports. Not but that *Rome*, in its loweſt Decays, produc'd very extraordinary Men; but they were ſuch Men, whoſe great Qualities ſerv'd only to arm their Ambition againſt the Freedom of their Country.

'Tis an Obſervation of * *Macchiavel*, that great Dangers and violent Extremities often rectify and recover a Conſtitution of Government tend-

† Cic. pro Cluentio, c. 43.
§ Cic. in Vir.
‖ Cic. in Piſo, c. 4. pro Sextio, c. 25.
* Diſcorſ. l. 3. c. 4.

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ing towards Corruption; of which he gives an excellent Example in the Sacking of *Rome* by the *Gauls*; to which may be added the Straits of *Caudium*, the Battle of *Cannæ*, and many other Losses in the Beginning and Progress of the Common-wealth: All which rouz'd and reviv'd their antient Virtue and Discipline, and prov'd a Remedy instead of a Ruin. But in After-Ages, the continual Success of their Arms, and the profound Security they enjoy'd by the Conquest of *Carthage*, and of all their foreign Enemies, let loose the Reigns of their Administration, introduc'd a Depravity and Corruption of Manners; and, in Conclusion, destroy'd the Common-wealth.

REMARKS

REMARKS

Upon ſome Paſſages in

Dr. *Prideaux*'s Connection

OF THE

Old and New Teſtament:

In ſeveral LETTERS between

Mr. *Moyle* and Dr. *Prideaux*.

REMARKS

UPON

Dr. *Prideaux*'s Connection.

Part I. Book I. Page 9. 8*vo*.

LETTER I.

SIR,

YOU ſay that "all the Traffick which "the *Weſtern* Parts of the World, "from that Time (when the *Ptolo-* "*meys* prevail'd in *Egypt*) had with "*Perſia*, *India*, *Arabia*, and the "*Eaſtern* Coaſts of *Africa*, was "wholly carry'd on thro' the *Red-Sea*, and the "Mouth of the *Nile*." But your own Author *Strabo* only ſays, ὡς ἐπὶ τὸ πολὺ, that the greateſt Part of the Trade of *India* was driven by the Way of *Alexandria*. But * *Appian* expreſly

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* De Bell. Civil. v. p. 676. Ed. Steph.

contradicts

contradicts you; for he makes *Palmyra* a celebrated Mart for the *Indian* and *Arabian* Commodities, which the Merchants of that City brought from *Perſia*, and afterwards ſold to the *Romans*. *Palmyra*, by the Advantage of its Situation near the *Euphrates*, lay very conveniently for ingroſſing the greateſt Part of the Trade of *India*, which was carry'd on over Land by the Way of *Perſia*; and we are aſſur'd by * *A. Marcellinus*, that *Batue*, a Town of *Athemiſia* in the North of *Meſopotamia*, near the *Euphrates*, was a noted Mart for the ſame Traffick, there being held every Year a Fair, to which there was a vaſt Reſort to buy up Commodities brought from the *Indians* and the *Seres*. As for the Trade with the *Seres*, we know from the ſame † Author, 'twas carry'd on by the Merchants over-land, who travell'd from *Perſia* to that Country, thro' the Territories of the *Sacæ*; and whatever *Indian* Commodities came by Sea to either of theſe Places, 'tis plain they muſt be brought by the Way of the *Perſian* Gulph, and ſo up the *Euphrates*; and not from the *Red-Sea*, which lay too far off. 'Tis true, a great Trade with *India* was driven by the Way of the *Red-Sea* and *Alexandria*, as appears not only from *Strabo*, but from § *Pliny*, who has ſet down the Rout the Merchants took over-land from *Alexandria* to

* Lib. xiv. c. 3.
† Lib. xxiii. c. 6. p. 292. Ed. Gronov.
§ Lib. vi. c. 23. p. 703. Ed. Hardwin.

Berenice

Berenice, and from thence by Sea to the Coaſt of *Malabar*. He adds, that the prime Coſt of *Indian* Goods, imported every Year into the *Roman* Empire, amounted to above 400,000 Pounds: And the ſame Author * affirms, that the Empire loſt every Year by their Trade with *India*, *Arabia*, and the *Jews*, above 800,000 Pounds. From which Paſſage, compar'd with the former, it appears that the *Romans* drove as great a Trade with the *Seres* and *Arabia*, as with *India*, *Tanto nobis deliciæ & fœminæ conſtant* † *Tacitus* makes the ſame Complaint. Now, if 800,000 Pounds *per Ann.* were too great a Drain for the *Roman* Empire to bear —— I am, *&c.*

Part I. Book IV. Page 211.

Of ZOROASTRES.

LETTER II.

SIR,

THE Account of *Zoroaſtres* is ſo entertaining, and ſo extremely well told, that I have all the Inclination in the World to believe it true: But there are ſome Circumſtances in it ſo inconſiſtent with the Relations of all the

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* L. xii. 18. Ed. Harduin. † Ann. iii. 53.

Greek and *Latin* Writers, that they give one very juſt Ground to Queſtion the Credit of the whole Story. 'Tis certain that the general Current of the old Writers places *Zoroaſtres* much earlier than the Reign of *Darius Hyſtaſpes*, as you may find in all the modern Collectors, who have treated of that Subject. I will not enter into the Controverſy, whether there was only one of that Name, as you ſuppoſe, or more; nor will I pretend to determine the Age of *Zoroaſtres*, the Founder of the *Perſian* Religion, becauſe I think it impoſſible, among ſuch Variety of Opinions and Contradictions, to make any probable Gueſs of the Truth. 'Tis ſufficient for my Purpoſe, if I can prove him more antient than the Period you have plac'd him at. For this I need not produce you a long Liſt of the antient Hiſtorians; for they are all collected to my Hand by *Marſham*, *Stanley*, *A. Fabricius*, *Huetius*, &c. One Author indeed you wou'd rob me of, *Juſtin*, by correcting him from *Diodorus Siculus*: But the Reverſe of this is true, and *Diodorus* ought to be corrected by *Juſtin*, as appears from a Paſſage of * *Arnobius*, as 'tis read, and diſtinguiſh'd by either *Stanley*, *Marſham*, or *Heraldus*: That *Cteſias* calls this *Bactrian* King, not *Oxyartes*, but *Zoroaſtres*; and conſequently the genuine Reading in *Diodorus*, who profeſſes to follow him in his whole Relation of that War, was *Zoroaſtres*.

* Lib. i. p. 31. compar'd with p. 5. Edit. Lugdun.

The

The only antient Writer that ſeems to favour your Opinion, is *Agathias*, who liv'd 1100 Years after, who makes *Zoroaſtres* Cotemporary with *Darius Hyſtaſpes*, as the *Perſians*, in his Age, gave out, in general, but at the ſame Time, that it was impoſible to know whether he was the Father of *Darius* or not; and if the Fact was then doubtful, I wou'd fain know how After-Ages came by a better Information: And 'tis remarkable, that none of the *Eaſtern* Authors you have cited are above 600 Years Standing; nor does the *Mirconde*, call'd *Texeria*, the moſt celebrated of all the *Eaſtern* Hiſtorians, make Mention of it in his Annals * *A. Marcellinus* does indeed ſay, he was the Father of *Darius*, but 'tis plain to every one who attentively conſiders the whole Period, that he places *Hyſtaſpes* long after the Age of *Zoroaſtres*, and † *Lactantius* ſets him higher than the *Trojan* War. So that no Manner of Streſs can be laid on this Argument.

§ *Apuleius* is another Author you produce to prove *Zoroaſtres* Cotemporary with *Pythagoras*. But you have entirely deſtroy'd the Credit of his Relation, by one Chronological Argument: To which I may add, that *Apuleius*, in the very next Period, contradicts this Account himſelf; for he ſays, 'twas the prevailing Opinion that *Pythagoras* came voluntarily into *Egypt*, and there inſtructed himſelf in all the Learning of the

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* Lib. xxiii. c. 6. † Inſtit. vii. 15.
§ Florid. 501. Edit. Lugdun.

Egyptian Prieſts, without mentioning a Word of his Converſing with *Zoroaſtres*, whom 'tis plain from his* Apology he thought many Ages elder than *Pythagoras*, becauſe he makes him more antient than *Moſes*: Which Paſſage, by the Way, he copy'd from † *Pliny*, as *Harduin* very rightly obſerves. And indeed, on a Suppoſition that he was Cotemporary with *Ninus*, and that the *Aſſyrian* Monarchy laſted 1400 Years, according to § *Diodorus*, or 1300 according to ‖ *Trogus*, his Age muſt be carry'd ſome Centuries higher than *Moſes*. Nor can this Account, as you ſuppoſe, agree with *Nebuchadnezzar*'s Conqueſt of *Egypt*; for from that Time to the Death of your *Zoroaſtres* (as appears by your own Reckoning) there had paſs'd 85 Years: And allowing *Zoroaſtres* to have been 90 Years old at the Time of his Death, which, by the Way, was not a natural but a violent one, he cou'd have been but five Years old; and allowing *Jamblichus*'s Account of *Pythagoras*'s twelve Years Reſidence at *Babylon*, he cou'd have been but ſeventeen when *Pythagoras* left that Place; and at that Age he was certainly too young to ſet up for a Doctor. But ſuppoſing *Pythagoras*, for once, to have been at *Babylon* in *Nebuchadnezzar*'s Time, or even later if you pleaſe, twenty Years before *Cambyſes*'s Conqueſt of *Egypt*; which is the loweſt Period, as you own, that can be allow'd for his Travels,

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* Florid. p. 319. † Lib. xxx. c. 1.
§ Lib. ii. p. 115. Ed. Hanov. ‖ i. 2.

and

and which was before *Babylon* was taken by *Cyrus*; I deny that he cou'd have ſeen any of the *Perſians* and *Magians* at *Babylon*; for that Sect ſpread only with the Arms and Empire of the *Perſians*, and into * *India*. And 'tis a Jeſt to ſuppoſe that any of the *Perſian* Prieſts wou'd ſettle, or be allow'd to ſettle, at *Babylon*, the head Quarters of *Sabianiſm*; for which, as you ſay, † *they had the utmoſt Deteſtation, and hated the* Babylonians *above all others of that Sect.* And if *Pythagoras* cou'd have been inſtructed in the Learning of the *Magi* there, he need not have been at the Pains to Travel into *Perſia* upon that Errand, as *† *Clemens Alexandrinus*, and †* *Pliny* aſſure us he did.

The *Zabratus* of § *Porphyry*, the *Zaratus* of ** *Clemens*, of †† *Plutarch*, and *Jamblichus*, and the *Zaran* of §§ *Cyril*, I agree to be all one, but deny that either of them is *Zoroaſtres*. To begin with *Porphyry*, if by *Zabratus* he meant *Zoroaſtres*, why had he not call'd him *Zoroaſtres*, as he has done in his Book, ‖ *De Antro Nympharum?* And that very Paſſage has a Character of Time in it which will fix the Age of

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* Connect. Part I. Book III. p. 179.
† Book IV. p. 241.
*† Strom. i. p. 357. Ed. Potter.
†* xxx. 1.
§ In Pythagora, p. 185. Ed. Cantab.
** Ibid.
†† De Gen. animæ in Timæo, p. 1862. Ed. Steph.
§§ Contra Julian. p. 133. Ed. Spanhem. ‖ P. 254.

Zoroaſtres many Ages before *Darius Hyſtaſpes*: For he ſays, *Zoroaſtres* conſecrated a Grotto to the Worſhip of his God *Mithra*, and gave the firſt Riſe of that Cuſtom to other Nations. Now there are Examples enough of Grots and Caves conſecrated to Nymphs, and other Gods, to be met with in Hiſtory as high as the *Trojan* War, as appears from the Verſes of *Homer*, which are the Subject of that Diſcourſe. To ſay nothing of *Jupiter*'s Grotto, frequented by * *Minos*, with many others mention'd by *Strabo*, *Pauſanias*, *&c.* long before the Reign of that Prince. In the next Place, *Porphyry* plainly makes *Zabratus* a *Chaldæan*, as *Holſtenius* has rightly remark'd; that is, a Philoſopher of that Sect, as the following Words plainly ſhow: And conſequently he cou'd not mean *Zoroaſtres*, who was a *Magian*. Some Writers have indeed confounded theſe two Sects, as *Celſus*; but he is very juſtly laugh'd at for his Pains by † *Origen*. *Clemens* and *Cyril* make him an *Aſſyrian*, that is by Birth, tho' a *Chaldæan* by Profeſſion. § *Pliny* mentions *Zuratus*, one of the Succeſſors of *Zoroaſtres*: but he muſt be different from the *Zaratus* of *Clement*, *&c.* becauſe he makes him a *Mede*, and a *Magian*. But this Paſſage however, plainly proves that *Zaratus* and *Zoroaſtres* are Names of different

* Strab. x. p. 482. Ed. Caſaub. Dion. Hal. l. ii. p. 91. Ed. Steph. † Contra Celſum, i. p. 45. Ed. Cantab.
§ xxx. 1.

Perſons

Perſons, and not different Names for the ſame Perſon. I am ſenſible I have dwelt too long on an Argument which you your ſelf lay little Streſs on, and ſeem to give up: But before I part with this Subject, give me Leave to obſerve one great Inconſiſtency which you have been guilty of in this Relation. You ſay, † *that Pythagoras took the Hint of retiring to a Grotto, &c. from his Maſter Zoroaſtres:* But ſince, by your Reckoning, *Zoroaſtres* had not ſet up for a Prophet, nor retir'd to his Cave till the Reign of *Darius Hyſtaſpes*, and *Pythagoras* was return'd from his Travels above twenty Years before *Cambyſes*'s Conqueſt of *Egypt*, how was it poſſible for *Pythagoras* to follow his Example in an Affair which happen'd ſo many Years after his own Retirement into the Cave; and which, had it been earlier, 'twas impoſſible, at that Diſtance, he ſhou'd ever have heard of? His Notion of the Immortality of the Soul, he might as well learn from his Maſter *Pherecydes*, who firſt advanc'd that Doctrine, according to *Cicero* and Others *. But as for his *Metempſychoſis*, I own he might borrow it from the the *Brachmans*, or even the *Magians*, who all believ'd that Doctrine, if your own Author, § *Porphyry*, is to be credited.

The Current of all Antiquity being againſt you, as to the Age of *Zoroaſtres*, the Credit of

† Part I. Book IV. p. 220.
* Vid. Menag. ad Laertium, i. § 116.
§ De abſtinentia, iv. 165.

this whole Relation muſt reſt on the Authority of the *Eaſtern* Writers. There is no need to repeat what I have ſaid on this Head, in the Article of *Agathias*; for ſure no Man of Judgment will ſet the Credit of ſuch late and lying Writers in competition with Authors of ſuch eſtabliſh'd Reputation as the *Greek* and *Latin* Hiſtorians. For a Specimen of the Sincerity and Accuracy of the *Eaſtern* Writers, I appeal to the fam'd Hiſtorian of *Perſia*, *Mirconde*, whoſe Account of the Reign of *Darius* contains as many Lyes as Lines. There is not one Truth told in all the Relation; but the whole, from the beginning to the end, is a ſenſeleſs Rhapſody of ill-invented Fables and ridiculous Abſurdities. In a word, he is the moſt ſcandalous Writer I ever dipt into; for I never had the Patience to go thro' with him. His Character has given me a Taſte of the reſt, and how little their Authority is to be depended on for the Truth of any antient Fact. * *Huetius* ſays, the modern *Perſians* make *Zoroaſtres* Cotemporary with *Abraham*.

In the next Place, I ſhall examine ſome other Circumſtances of this Relation, which were either unknown, or contradicted by the the old *Greek* and *Roman* Writers: And I ſhall begin with the great Alteration made by *Zoroaſtres* in the National Religion of *Perſia* under *Darius Hyſtaſpes*. Of this the Antients were all ſilent to

* P. 89.

a Man

a Man which is a good Proof of its Falſhood. Is it poſſible to imagine, that ſo memorable an Event cou'd have been paſt over in Silence by ſo many diligent Hiſtorians, had they known it? or is it likely that a Fact, which muſt make ſo much Noiſe in the World, cou'd eſcape their Inquiry? Will any one believe that *Herodotus*, who paſs'd over ſo many *Perſian* Provinces to collect Materials for his Hiſtory, cou'd have miſs'd it in all his Travels? Or that *Cteſias*, who reſided ſo many Years in the *Perſian* Court, cou'd be Ignorant of a Fact which every Porter in *Perſia* muſt know? 'Tis ſtrange that *Xenophon*, who convers'd with the younger *Cyrus*, and march'd with an Army into the Heart of the *Perſian* Empire, cou'd give his Countrymen no better Information at his return. But what is ſtrangeſt of all, how came it about that *Oſtanes*, who attended *Xerxes* in his Expedition againſt *Greece* but twelve Years after, and ſet the *Greeks* a madding after Magick, ſhou'd acquaint none of his Followers with the Original of his Sect, or the Age of its Founder? Theſe are all ſtrong Preſumptions againſt this Story: To which I ſhall add the Authority of *Xenophon* *, who affirms that the Regulations made by *Cyrus* in the Religious Worſhip, continu'd without any Alteration down to his Time: and in the Cloſe of that Work, tho' he has given a large Account of the Corruption of their Morals, and

* Cyropædia, viii. p. 121. Ed. Stephani.

military

military Diſcipline, of the Neglect of their Education, with their total Degeneracy from the Virtue of their Anceſtors; yet he does not add one Word of any Change in their National Worſhip, or the Principles of their Theology, which his Subject gave him a fair Occaſion of doing, had there been any ſuch Thing.

The principal Changes made by *Zoroaſtres*, in the Inſtitution of his new Religion, were, the building of Temples, which the *Perſians* wanted before, and the introducing a God Superior to the two Principles believ'd before. As to the firſt, I ſhan't argue againſt it, as I did in the former Article, from the Silence of the old Writers, but from expreſs Authorities againſt you; and begin with * *Herodotus*, a *Perſian* Governor and Soldier, who directly affirms, that the *Perſians* of his Age (for he ſpeaks in the preſent Tenſe) had no Temples. † *Dinon*, who flouriſh'd after the Time of *Alexander*, ſays, the *Perſians* ſacrific'd in the open Air, which ſhews they had no Temples; and § *Cicero* ſays, that *Xerxes*, by the Inſtigation of the *Magians*, ſet Fire to the Temples in *Greece*, upon this Principle, that the Univerſe was the Temple of the Gods, who ought to be at large and unconfin'd, and not coop'd up in Walls. *Cicero* has given the true Reaſon for the Averſion the *Perſians* bore to Temples, which

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* L. i. p. 35. † Apud Clem. Alex in Protrep. p. 56.
§ De Leg. ii. 10.

did

did not proceed, as you ſuppoſe *, from an Abhorrence of worſhipping the Gods by Images; for they were as arrant *Polytheiſts* and Idolaters as any of their † Neighbours. 'Tis true, they abſtain'd from the Uſe of Images, from that Perſuaſion. And *Herodotus*'s Reaſon, rightly underſtood, is the ſame with *Cicero*'s. Theſe Authorities do fully prove what I contend for, that the *Perſians* had no Temples long after the Reign of *Darius:* And the earlieſt Account we have of any Temples among them, is under *Tiberius*, many Ages after. And the Conjecture of *Le Clerc* and *Stanley*, is very probable, that 'twas an Innovation in their Worſhip, by their Commerce with their Maſters the *Macedonians.*

The moſt valuable Part of *Zoroaſtres*'s Syſtem, *viz.* his ſetting up a third Principle, ſuperior to the two old ones, is contradicted by all the old Writers. *Stanley*'s Citation from the Writings of *Zoroaſtres*, which you and every Body elſe allow to be ſpurious, can be of no Weight; and *Plutarch*'s Account of his believing two independent Gods, with a middle one between them, does not agree with your Hypotheſis. *Ariſtotle*, *Hermippus*, *Eudoxus*, § *Theopompus*, make him hold two Principles only, the Good and the Bad one: And *Agathias* long after, affirms the ſame of the *Perſians* in his Age, and adds, as you likewiſe ‖ aſſert, that the *Mani-*

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* P. 240. † Clem. Alex. p. 56, 7.
§ Apud Laertium in Proœm. ‖ P. 179.

chees

ebees borrow'd the great Article of their Hereſy from this Doctrine. And from theſe all put together, it ſeems very plain that this Refinement of the *Perſian* Theology was of a much later Date than you ſuppoſe. I am, *&c.*

Part I. Book V. p. 305, 6.

LETTER III.

SIR,

WHatever becomes of *Iſaac Voſſius*'s Correction of *Joſephus*, *lib.* xi. *c.* 7. I can't help thinking that the Paſſage is corrupted; for στρατηγὸς τῶ λαῶ Ἀρταξέρξυ is not *Greek*, but a mere *Hebraiſm*. 'Tis true, we often meet with λαὸς for στρατὸς in the Septuagint, which is a literal Tranſlation; but 'tis not likely that ſo elegant a Writer as *Joſephus* would uſe ſuch a barbarous Phraſe. I believe it ſhould be read ὁ στρατηγὸς τῶ Ωχυ Ἀρταξέρξυ. I took the Hint of this Correction from *Scaliger*'s συναγωγὴ ἱστοριῶν, (*p.* 379.) which, as he owns (*p.* 431.) was a Collection of his own making, partly out of Printed Books, and partly out of Manuſcripts. He there reads it ὁ στρατηγὸς τῶ Ἀχυ, *&c.* I make no doubt but he found Ἀχυ in ſome Manuſcript of *Joſephus*; for otherwiſe he never wou'd have ſet down a Word which has no Meaning in it: The Change of one Letter makes it ὠχυ, which I believe is the true Reading.

Bagoſes

Bagoſes is *Bagoas*, who was the prime Favourite, and chief General to *Ochus*, under whoſe Reign all this Affair was tranſacted. Biſhop * *Uſher* has an Argument which has ſtarted an Objection againſt my Hypotheſis; but his Argument is all founded on a miſtaken Suppoſition, that *Johanan*, the Son of *Eliaſhib*, mention'd by † *Ezra*, in the ſeventh Year of *Artaxerxes Longimanus*, was the ſame *Johanan* who was afterwards High-Prieſt. But 'tis plain from § *Joſephus*, the *Alexandrian* Chronicle, and ** *Nehemiah*, that *Johanan*, or *Jonathan* the High-Prieſt, was not the Son of *Eliaſhib*, but of *Joiada*, as you have rightly obſerv'd which intirely deſtroys the Biſhop's Conjecture. You have been a little too ſevere in your Cenſure of *Joſephus*, as as if he had been ignorant of the Succeſſion of the *Perſian* Kings: For it ought to be conſider'd that his principal Buſineſs was to write the Hiſtory of his own Nation, nor was he oblig'd by the Rules of Hiſtory to mention the Affairs of *Perſia* any farther than they were intermix'd with the Affairs of the *Jews*: And if he has given an Account of the firſt ſix Kings of *Perſia*, 'twas becauſe they had all diſtinguiſh'd themſelves by Acts of Favour or Severity to the *Jews*, and on that Account had a Right to be mention'd: And if he has paſs'd over any of their Succeſſors in Silence, 'twas becauſe nothing

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* Ad Ann. P. Jul. 4312. † C. x. 6.
§ Lib. xi. c. 7. ** C. xii. 11.

of

of Note that related to *Judæa* was tranſacted in their Times till the Reign of *Ochus*, whom I think he has mention'd, as well as *Darius Codomannus*; becauſe in his Reign the *Jews* chang'd their Maſters, and became ſubject to the *Macedonians*; which was an Event that nearly concern'd his own Nation, and ought not to be omitted. This is a very probable Account why *Joſephus* has omitted, in his Hiſtory, ſome of the *Perſian* Kings; but 'tis not poſſible to conceive that an Author ſo converſant in the *Greek* Writers cou'd be ignorant of the Series of the *Perſian* Kings. *Ephorus*, whom he has ſo often cited, and who concludes his Hiſtory about the End of *Ochus*, might have amply inſtructed him in the *Perſian* Hiſtory.

Another Proof in Favour of this Opinion may be drawn from the Argument of this Chapter, which calls this *Artaxerxes*, *Artaxerxes* the Younger, that is *Ochus*. This plainly ſhews that my Correction was the original Reading of the Manuſcripts; for except this ſingle Paſſage, there is nothing elſe in the whole Chapter which can give the Reader any Light what *Artaxerxes* is meant. As for the Arguments of the Chapters, if they were not compos'd by *Joſephus* himſelf, yet 'tis certain that they are of an Antient Date, becauſe they are found in moſt of the Manuſcripts; as appears from the various Readings in Dr. *Bernard*'s unfiniſh'd Edition of *Joſephus*.

I am, Sir, *&c.*

Part

Part I. Book VII. Page 486.

LETTER IV.

SIR,

I Shall next conſider that celebrated Story in *Joſephus*, of *Alexander*'s coming to *Jeruſalem*, &c. as 'tis ſet down in all its Cicumſtances by * *Joſephus*. I am not ignorant that ſome later Writers vary in ſome Particulars, and that *Euſebius* has very dextrouſly given it a more plauſible Air: But ſince *Joſephus* is the original Author from whom they all borrow'd their Accounts, I ſhall examine it upon the Foot he has deliver'd it down to us.

A. Fabricius, in his *Greek* † *Bibliotheque*, ſeems to ſuſpect the Credit of this Relation, and to give it up to the Arguments of *Vandale*, (in his Reflections on the Hiſtory of the Seventy) to prove it inconſiſtent with the Accounts of all the old Hiſtorians. I never read this Book of *Vandale*, nor ever heard of one of his Arguments; but I ſhall give you my Reaſons why I am of his Opinion.

In the firſt Place, I ſhall urge the Silence of all the Old Hiſtorians who are now extant: And as for thoſe who are loſt, 'tis plain they never made any Mention of it, becauſe *Joſephus*

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* Antiq. Jud. xi. 8 † Vol. ii. p. 206.

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has not produc'd their Teſtimonies, which he never fails to do upon all other Occaſions.

Joſephus ſays that *Alexander* march'd to *Jeruſalem* after the taking of *Gaza*; but you have very plainly prov'd that he march'd from *Gaza* directly into *Egypt*: and what is much ſtranger, * *Arrian* expreſly affirms, that all *Paleſtine*, except *Gaza*, had ſubmitted to him before he began the Siege of that City; and conſequently he had no Need to march with his Army into *Judea*, in order to reduce it to his Obedience. This ſingle Argument is enough to ſhake the Credit of this whole Relation. *Euſebius*, who was aware of this Abſurdity, makes him march from *Tyre* to *Jeruſalem*: But ſince his Author, *Joſephus*, was Ignorant of this Circumſtance, I wiſh he had produc'd his Voucher, and told us how he came by a better light ſo many Ages after. The Paſſage of *Euſebius* as it now ſtands in *Scaliger*'s Edition is corrupt and unintelligible, without the Help of a Correction. I ſuppoſe it ſhould be thus Read, *Alexander capta Tyro Judæam invadit, atque favorabiliter exceptus*, &c. But this Salvo of *Euſebius* mends the Matter very little; for not only *Joſephus*, but all the Old Hiſtorians, bring *Alexander* directly from *Tyre* to *Gaza*, without making any Halt by the Way. As for Biſhop *Uſher*'s Quotation out of † *Pliny*, *Alexandro*

* Lib. ii. p. 150. Connect. Part. I. Book VII. p. 486.
† Nat. Hiſt. xii. 25.

magno

magno res ibi gerente, that is, *Alexander* making War in thoſe Parts, (for *ibi* in that Place needs not be reſtrain'd to *Jericho* only) I don't doubt but it either relates to the Siege of *Tyre*, or *Gaza*, which was a City of *Paleſtine*. It can never be meant of *Jericho*; for we know not only from *Arrian*, but *Joſephus* himſelf, that the *Jews* ſubmitted without ſtriking a Stroke. And I need not tell you that *res gerere* ſignifies *to wage War*. *Pliny* has us'd the like Phraſe in the ſame * Book, and † elſewhere; and not once in any other Senſe §. I do not know whether it be worth while to obſerve, that the barbarous Author of the *Excerpta Chronologica*, publiſh'd by *Scaliger* after *Euſebius*'s Chronicle **, places this Journey of *Alexander* to *Jeruſalem*, after his Return from *Egypt*: and †† *S. Severus* ſeems to intimate, that 'twas after all his Conqueſts were finiſh'd: which ſhews how uncertain they were of this Matter.

Leſs to the Purpoſe is his Citation out of §§ *Curtius*; for that Paſſage does not relate to *Jeruſalem*, as I have already ſufficiently prov'd, but to all the reſt of the Cities to which he had march'd in Perſon with his Army, from the Battle of *Iſſus* to the Siege of *Gaza*.

Joſephus ſays that *Alexander* was accompany'd in his March to *Jeruſalem* by *Phœnicians* and

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* C. 14. † Lib. xxxiii. c. 10.
§ Vid. Bentleium ad Horat. Ode 6. lib. iii. Grævium ad Juſtin. xiii. 4. ** P. 72. †† ii. 16. §§ iv. 5.

Chaldæans. 'Tis plain from the *Chaldæans* being join'd with the *Phænicians*, that by them are meant not judiciary Aſtrologers (as the Word often ſignifies) but *Chaldæans* properly ſo call'd, that is, Natives and Inhabitants of *Chaldæa*, 'Tis natural enough to ſuppoſe that *Alexander* might be attended by *Phænicians*, who were a conquer'd Nation at that Time; but how, in the Name of Wonder, came the *Chaldæans* in his Train? At that Time he had neither conquer'd nor ſeen *Chaldæa*; nor was he Maſter of an Inch of it before the Battle of *Arbela*, when *Babylon* and all *Chaldæa* revolted to him; ſo that Circumſtance is moſt certainly falſe.

He adds, that *Alexander* at the Approach of the High-Prieſt, worſhipp'd the Name of God, inſcrib'd on his Breaſt-Plate; and that *Parmenio* being ſurpriz'd at it, ask'd him how he came to worſhip the High-Prieſt, when all the World worſhipp'd him? What kind of Worſhip was paid to *Alexander*, we all know from * *Curtius* and † *Arrian*, who there uſes the ſame § Word with *Joſephus*; and ſo does ‖ *Plutarch* ¶ *Cornelius Nepos* ** *Xenophon*, and †† *Ælian*, ſpeaking of the *Perſian* Kings. This Compliment was firſt made to §§ *Cyrus* King of *Perſia*, thoſe Kings being all conſider'd as †* Gods, and treat-

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* viii. 5. † iv. 264. § προσκύνησις.
‖ In Alexand p. 1276. ¶ In Conone. ** viii. 127.
†† Var. Hiſt. i. 21. §§ Xenophon, ibid.
†* Vid. Æſchyli Perſas, v. 623. & Scholiaſten.

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ed with * Divine Honours. And from this Precedent the Flatterers of *Alexander* copy'd, when they introduc'd this Practice. 'Tis impoſſible to underſtand this Speech of *Parmenio* in any other Senſe: And then I am ſure this Part of the Story is notoriouſly falſe; for 'tis § certain that he did not ſet up for a God, or expect Divine Honours till long after the Death of *Darius*, and the complete Conqueſt of *Perſia*, which was ſome Years after this Tranſaction. From the Falſhood of this Article, you may judge of the Truth of the whole.

My next Charge againſt *Joſephus* is the Requeſt he ſays, the High-Prieſt made to *Alexander*, that he wou'd allow the *Jews* who dwelt in *Babylon* and *Media*, the free Exerciſe of their Religion; which implies, that *Alexander* was then poſſeſs'd of that Part of *Aſia*, which is manifeſtly falſe: For he was Maſter of neither of them till after he had fought the Battle of *Arbela*, which was, I think, the Year after this Tranſaction. I know very well, that *Uſher* has given another Turn to this Paſſage; but my Interpretation of the Words is, I think, more plain and natural: And whoever conſiders the Miſtake of the Author of this Story, in mentioning the *Chaldæans* where there is no Room for the Expreſſion, will be apt to think he was capable of committing the like Blunder in Chronology a ſecond Time.

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* Arrian, Curtius, ibid.

§ Arrian, Curtius, ibid. Trogus xii. 7. Ælian ii. 19.

I ſhall conclude with an Argument from the *Alexandrian* Chronicle, which places the Death of *Jaddus* the High-Prieſt ſome Years before *Darius Codomannus* came to the Crown, and conſequently this whole Story is falſe from Top to Bottom. I don't know what Force this Argument will have with other Criticks, but I think it ought to weigh a good deal with you, becauſe you have follow'd his Account of the * Succeſſion and Chronologies of the High-Prieſts, and without it your Hypotheſis of the ſeventy Weeks can never be maintain'd: So that you ought in Juſtice to retain his Authority here, or to reject it there.

There are ſome other Circumſtances in this Story, which lie very open, and want to be conſider'd. The two Dreams are pretty extraordinary, nor is very likely that an inſolent young Conqueror, who had the Vanity before the Year was over to get himſelf pronounc'd the Son of *Jupiter Hammon*, ſhou'd throw himſelf at the Feet of the High-Prieſt, (for that's the Meaning of the Word προλκυνέω, as appears from the Authors I have cited on that Head) and worſhip the Name of a God that was either unknown or deſpis'd by the *Greeks*, and all the Heathen Nations. Nor does *Jaddus* ſeem to have acted a very conſiſtent Part in declaring at firſt, before the taking of *Tyre*, that he wou'd live and die by his

* Connect. Part. I. Book VI. p. 411.

Oaths

Oaths to *Darius*, and afterward receiving the Victor with open Arms, and incouraging him in his Expedition againſt *Perſia*, by ſhewing him the Prophecies of *Daniel*, and never imploying his Intereſt (for ought appears to the contrary) to divert the *Jews* from liſting in an Army that was to fight againſt his old Maſter. Theſe Particulars, 'tis poſſible, may be all true; but they appear with a very Romantick Air, and *Euſebius* has done very wiſely in omitting them all in his Relation.

I have been often at a Loſs to determine, whether *Joſephus* was the Author of this Story, or took it upon Truſt from Tradition, or ſome *Jewiſh* Writer, and ſo was impos'd on himſelf. But after weighing every Thing, I am charitably inclin'd to the latter Opinion. In the Hiſtory of his own Times, and even as high as the Riſe of the *Aſmonæan* Race, where he had good Memoirs to build on, he appears to be a Writer of extreme good Senſe and Sincerity, as well as of great Eloquence and Politeneſs. It muſt be own'd, that in his Account of the Scripture-Times, he has taken a bold Liberty to vary from the Bible, to add, alter, retrench, and even ſometimes contradict it; which is a Fault for which no other Apology can be made, but that he was of the Sect of the *Phariſees*, and gave too much Credit to their trifling Traditions. However, in the main, that Part of his Hiſtory is totally exact: But when he comes to the Interval between the End of *Nehemiah*'s Government, when the *Old*

Teſtament breaks off, and the Beginning of the *Aſmonæan* Race, which is the darkeſt Period of the *Jewiſh* Hiſtory, and takes up the End of the Eleventh and the greateſt Part of the twelfth Book of his *Antiquities*; there his Hiſtory is indeed a meer Fardle of Fables. Nor do I even here condemn him for Want of Honeſty and Sincerity, but pity his Misfortune that he had no better Lights to direct him than fabulous Traditions, and the lying Legends of the *Helleniſtical Jews*. I am, Sir, *&c.*

Dr. PRIDEAUX's firſt Letter to Mr. MOYLE.

Dear Couſin,

I THANK you for your kind Letter, and the Pains you have taken about my Book. I ſhou'd have been glad of ſo learned a Friend near me, to whom I might have communicated this Hiſtory before it was printed. But now three Editions being publiſh'd of it, your Obſervations come too late to be of any Uſe for the correcting of any Thing that is miſtaken. However, I ſhou'd be glad to have all that you have obſerv'd; and if I live to ſee a fourth Edition, I ſhall be ſure to examine all that you ſhall ſuggeſt to be amiſs, and as I ſhall ſee Cauſe for it, make Corrections accordingly.

As to your firſt Obſervation concerning the Eaſt-India *Trade, I perceive my good Couſin has not obſerv'd that all that I ſay of it is of the Trade by Sea,*

Sea, and not of the Trade by Land. I thought no Reader wou'd have underſtood it otherwiſe; but ſince you have, I ſhall, in the ſecond Part, where I ſhall have Occaſion to ſpeak of this Matter again, put in ſuch Words as ſhall prevent all Miſunderſtanding of this Matter.

As to what you write of Zoroaſtres, *I am of nothing more ſure in antient Hiſtory, than that he was never King of* Bactria, *or any other than a jugling Impoſtor; and that the Time of his flouriſhing was in the Time of* Darius Hyſtaſpes: *And all the* Greeks *that ſay any Thing to the Purpoſe, agree in this Time. For his being King of* Bactria, *and his making War with* Ninus, *there is no Authority but that of* Juſtin's, *and thoſe who have wrote from him. All the* Greeks *ſpeak otherwiſe of him, and ſome give him a very fabulous Antiquity. But ſince you deſire only to have it prov'd to you, that he was not antienter than the Time of* Darius Hyſtaſpes, *I will ſend you no further than to the Place in the Proem to* Diogenes Laertius, *which I have quoted: There the Succeſſors of* Zoroaſtres *being nam'd,* Oſtanes *is reckon'd the firſt of them, and he came into* Greece *with* Xerxes. Suidas *calls him* Περσομήδης, *but there was no* Perſomedians *before* Cyrus *united* Media *and* Perſia *together.* Suidas, *I confeſs, is no old Author, but his Collection is made out of thoſe that were ſo, and many of thoſe he us'd are now loſt. That he is made Cotemporary with* Pythagoras, *is another Reaſon for the ſame Thing. That Paſſage which you refer to in* Arnobius, *if it proves any Thing, it proves him to be Cotemporary with* Cyrus. *And* Apuleius's

placing him in the Time of Cambyſes *ſufficiently, ſhows there was then an Opinion that he liv'd about that Time: and putting all this together, I think it is not to be doubted but that whom others call* Zabratus, Zaratus, Zaras, Zaroes, Nazaratus, *&c. is the ſame with* Zoroaſtres, *the Character of the Perſon, as well as the Similitude of the Names, proving this Opinion. Perchance* Porphyrius *might think* Zabratus *and* Zoroaſtres *to be two different Perſons; but this doth not prove them ſo,* Porphyry *living many Hundreds of Years after. All that I aim to prove by theſe Teſtimonies, is, that the beſt Evidence we have from among the* Greeks *and* Latins, *for the Time of* Zoroaſtres, *placeth him above the Time where I have put him. But as to the exact Chronology of all his Actions, (which is not to be found in this, or any Matter among the antient* Greeks) *I acknowledge I follow the* Eaſtern *Writers, whoſe Books are all full of him; and that not from* oral Tradition, *as you ſuppoſe, but antient Authors. The* Arabs *indeed had no Learning till after the Time of* Mahomet, *but the* Perſians *had; and from very antient Times: And therefore, I believe no* Arab *Author, as to this Matter, any further than he writes from the* Perſians; *and if the* Perſians *have Writings of this Matter, of above two thouſand Years ſtanding, why ſhou'd they not be believ'd as well as* Herodotus, *or* Thucydides? Zoroaſtres's *own Books are ſtill extant among the* Magians *in* Perſia *and* India; *and from them are all the Accounts that in the* Eaſt *are given of him. And his Books being of the ſame ſacred Regard among them, as the* Alcoran

coran *is among the* Mahometans, *it is not hard to conceive they ſhou'd be preſerv'd with the ſame Care. As to* Texeira, *it is not a Traſlation, but a ſhort Abſtract of* Emir Conda's Perſian *Hiſtory; that Hiſtory is ten Times as big. And tho' that Author ſhou'd ſay nothing of* Zoroaſtres, *or* Zerduſht, *as they call him, this wou'd not prove there was no ſuch Perſon, any more than if the conteſted Paſſage in* Joſephus *were given up, concerning our Saviour, it wou'd prove that there was no ſuch Perſon as* Jeſus Chriſt, *becauſe then there wou'd be no Mention of him in that Hiſtory. If there be no ſuch Mention of* Zerduſht *in* Emir Conda, *good Reaſon may be given for it:* Emir Conda *was a* Perſian Mahometan, *and with them nothing can be in greater Contempt than the* Magians *are in* Perſia; *and that might be Cauſe enough for him to take no Notice either of them or their Prophet.*

I beg your Pardon, I have not Time to go over all your Papers: Others, as well as you, call for the ſecond Part of my Hiſtory; and being now in the laſt Scene of my Life, and almoſt at the End of that, I have little Time to ſpare from this Work; which, for the gratifying of you and others, I wou'd gladly finiſh before I die. But if I live to finiſh it, and another Edition ſhou'd be publiſh'd of the firſt Part, I will then thorowly examine all that you ſhall offer, but think my Opinion, as to the Time of Zoroaſtres, *to be too well founded ever to be alter'd by me.*

I am, &c.

Norwich, Octob.
14. 1716.

Mr.

Mr. MOYLE's *Anſwer.*

LETTER V.

SIR,

—IN the next Place, you wou'd bring *Zoroaſtres* down as low as the Age of *Cyrus*, by the Help of a half Citation from a nameleſs Author in *Suidas*, who ſtyles him a *Perſomedian*; but immediately adds, that he flouriſh'd five hundred Years before the *Trojan* War, that is, a Thouſand Years before *Cyrus*: Which plainly ſhows that *Stanley*, *Marſham*, and **** are miſtaken in the Meaning of the Word *Perſomedes*, which you ſuppoſe to have been never heard of till the Union of the two Kingdoms of *Media* and *Perſia*, under *Cyrus*, ſince you ſee it mention'd a thouſand Years before. And if the Authority of *Suidas*'s Author is good for one Circumſtance of the Story, 'tis good for both. This ſingle Argument from *Suidas* ſufficiently overturns your Interpretation of the Word *Perſomedes*; but I ſhall add ſome other Proofs. In the firſt Place, I deny that the Word *Perſomedia*, or *Perſomedes*, is to be met with in all the Geographers or Hiſtorians (as *Marſham* himſelf confeſſes) or any where elſe but in this ſingle Paſſage, where 'tis us'd in a quite different Senſe from what you give it, as I ſhall ſhow hereafter. Nor was there any ſuch Thing after *Cyrus* united the Monarchy of the *Medes* and *Perſians*: For *Media*,

dia, after the Reign of *Cyrus*, was as much a Province of *Perſia*, as any of their other Conqueſts. All the old Writers with one Conſent, agree, that *Cyrus* conquer'd *Media*, and put an End to the Empire of the *Medes*, except *Xenophon* in his *Cyropædia*; which *Plato*, *Cicero*, *Auſtonius*, and all Antiquity, who were the beſt Judges, conſider'd as a Romance. And that *Xenophon* himſelf deſign'd it for ſuch, I am fully perſwaded from a remarkable Paſſage of * his, which none of the Criticks that I have met with have taken Notice of. He there expreſly affirms that the *Medes* were ſubdu'd, and diſpoſſeſs'd of their Empire by the *Perſians*, and relates ſeveral remarkable Particulars of the laſt War between the Kings of *Perſia* and *Media*. He has not given us their Names indeed, but 'tis plain he con'd have no other in his Eye but *Cyrus* and *Aſtyages*, for he relates it as an antient Fact, and therefore it can never be underſtood of the Revolt of the *Medes* under *Darius Nothus*, which happen'd but ſix or ſeven Years before. This Account is a flat Contradiction to the whole Tenour of the *Cyropædia*, and is a Demonſtration that *Xenophon* did not intend it for a true Hiſtory, but the Model of a good Prince.

That *Perſia*, properly ſo call'd, was alone the *Domicilium Imperii*, and that the *Medes* were not joint Sharers with them in the Empire, appears from the Revolt of the *Medes* under *Darius No-*

* Ἀνάβασις, iii. 182, 3.

thus,

thus, to recover their antient Sovereignty; which is mention'd by *Herodotus* *, and by † *Xenophon*, and from the dying Speech of § *Cambyſes* in which he conjures the *Perſians* not to ſuffer the Empire to be transferr'd again to the *Medes*. The ſame is confirm'd by the Form of *Cyrus*'s ‖ Edict, where he only takes the Style and Title of King of *Perſia*, and from innumerable other Teſtimonies which 'twou'd be endleſs to produce. 'Tis true, we often meet in *Thucydides*, *Herodotus* and other Writers, with the Words τὰ μηδικὰ μηδισμὸι, and μηδίξειν, where the *Perſians* are plainly meant: But nothing can be gather'd from the Uſe of theſe Terms, but that thoſe Writers conſider'd *Media* as the moſt conſiderable Province of the *Perſian* Monarchy, and which had formerly been poſſeſs'd of the ** Empire of *Aſia*; and call the new Empire that had been rais'd on its Ruins by the old Name, tho' 'twas in different Hands. In like Manner *Horace*, *Propertius*, and *Lucan* have call'd the *Parthian Medes*, tho' there is not the leaſt Pretence of a Suppoſition that the *Medes* and *Parthians* had been ever united or incorporated into one Nation. And the ſame Anſwer will ſerve for the Arguments *Marſham* has urg'd from the Book of *Eſther*. As for the Objection of *Stanley* and *Marſham*, that *Perſia* made no Figure in the World before the Time of *Cyrus*, 'tis very true; but *Zoroaſtres*

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* i. 35. † In Ἑλλην, i. 255. § Herod. iii 119.
‖ Ezra i. 2. ** Strabo xi. 525.

might

might be born in *Perſia* for all that. The Name and Nation of the *Perſians* are elder than the *Trojan* War, as appears from * *Diodorus* † *Herodotus*, ◊ *Euſtathius*, ‖ *Salluſt*, ** *Pliny*, †† *Stephanus*, and ◊◊ *Apollodorus*.

Having ſaid thus much againſt your Senſe of the Word *Perſomedes*, I'll now give you my own which I borrow'd from ‖‖ *Scaliger*. He ſuppoſes it to ſignify a half *Perſian* and half *Mede*, his Father being of one Nation, and his Mother of another; as *Cyrus* is ſtyl'd a *Mule* by the Oracle in *** *Herodotus*, and by *Megaſthenes* in *Abydenus*, for the ſame Reaſon. Biſhop ††† *Uſher* underſtands the Word in the ſame Senſe. This is confirm'd by ◊◊◊ *Clemens Alexandrinus*, who calls him a *Perſian*, and a little lower in the ſame ‖‖‖ Book calls him a *Mede*. And theſe different Accounts can't be well reconcil'd upon any other Suppoſition, but that *Zoroaſtres* was deſcended from both Nations. Nor is it ſtrange that a ſingle Perſon ſhou'd borrow his National Name from two different Provinces, when there are Examples enough in Hiſtory of whole Nations who have taken their Names in the ſame Manner. The *Gallo-Græci* of *Aſia*, were ſo call'd from

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* L. ii. p. 109. † L. vii. 257, 274.
§§ Ad Dionyſium, v. 1056. ‖ De Bello Jugurth. c. 21.
** L. v. 8. †† In Πέρσαι §§ L. ii. 4.
‖‖ Ad Fragmenta, p. 20. *** L. i. 13.
††† Ad A. P. J. 4115.
§§§ In Strom. i. p. 357. ‖‖‖ P. 399.

their

their being a mix'd Race, deſcended by Inter-marriages of *Gauls* and * *Aſiatick Greeks*. The *Celtiberi* of *Spain* borrow'd that Name from the *Celtæ* and *Iberi*, from whom they were jointly † deſcended. There are many other Inſtances of the ſame kind, as the *Gallo-Scythæ*, mention'd by § *Plutarch*, the ‖ *Liby Ægyptii*, the ** *Liby Phænices*; to which I may add the *Medo Bithyni* mention'd by †† *Strabo*, and the *Armeno Chalybes*. Many other Examples of compound Ἐθνικὰ might be produc'd, and all in the ſame Senſe I have given to the Word *Perſomedes*; but theſe Authorities are ſufficient to warrant my Interpretation, and to prove it agreeable to the Analogy and Uſage of the *Greek* Tongue. As for Sir *John Marſham*, who firſt ſtarted the other Interpretation, and is follow'd by *Stanley*, I don't wonder at him; for his whole Scheme is to derive the Original of all its Arts and Sciences from the *Egyptians*, and in that View he has brought down *Zoroaſtres* by Head and Shoulders ſome Ages lower than the *Egyptian Magicians*, contrary to the Authority of §§ *Pliny*, *Arnobius*, and ‖‖ *Uſher*.

I wonder you ſhou'd inſiſt on the Authority of *Apuleius* for an Opinion which he expreſly con-

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* Flor. ii. 11. Liv. xxxviii. 17.
† Diodor. v. 309. Appian. Iberica, p. 256.
§ In Mario, p. 752. ‖ Mela i. 4. Plin. v. 8.
** Plin. v. 4. Liv. xxv. 40. Ptolom. iv. 3. Scymnus Chius, v. 196.
†† C. vii. 295. §§ C. 30. 1. ‖‖ Ad A. P. J. 3447.

tradicts,

tradicts, and which you own to be inconſiſtent with the Chronology of *Pythagoras*. As to the Article of *Zaratus*, you have given up one of your Authors, *Porphyry*; and by the ſame Rule you muſt give up *Clemens Alexandrinus*, who in the * ſame Place where he mentions *Nazaratus* or *Zaratus*, names *Zoroaſtres* as a different Man, and of a different Nation; and *Plutarch*, † who mentions them as diſtinct Perſons: for he makes the firſt Cotemporary with *Pythagoras*, and the laſt ſome Thouſand Years elder. And 'tis very ſtrange you will have *Zaratus* and *Zoroaſtres* to be all one, tho' your own Authors expreſly deny it. Upon the whole Matter, I can't find that you have one ſingle Teſtimony from any *Greek* or *Latin* Writer, in favour of your Hypotheſis, but all muſt be reſolv'd into the Authority of the Eaſtern Writers, whom I think unworthy of Credit.

I have left the Age of *Zoroaſtres* at large, without fixing it to any particular Date, by Reaſon of the Uncertainty of the Old Writers; nor did I ever affirm that he was King of *Bactria*: But I don't think *Trogus* was the only Author who has made him ſo, for *Hermippus*, a very Antient Writer, makes him a § *Bactrian*; and Biſhop *Uſher* thinks ‖ *Zoroaſtres* to be the true Reading in *Diodorus*, and not *Oxyatres*; which I ſtill think may be fairly inferr'd from that

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* Strom. i. p. 357.
† De Iſide & Oſir. p. 659.
§ Apud Arnob. i.
‖ Ad A. P. J. 3447.

corrupt

corrupt Paſſage of *Arnobius*, which I cited in my Letter. You ſuppoſe that the Writers who have carry'd the Age of *Zoroaſtres* to a great Antiquity, have ſaid nothing to the Purpoſe, tho' they are Authors of the greateſt Fame and Antiquity. In that Number is *Xanthus Lydius*, who was as Antient as you make *Zoroaſtres*, and is prais'd by a very good Judge, *Dionyſius Halicarnaſſeus*, as an excellent Antiquary, and makes him many hundred Years elder than himſelf. *Ariſtotle*, and *Eudoxus* are Old Writers, and of the greateſt Reputation for Judgment and Integrity: And if their Accounts carry him too high, 'tis at leaſt good Proof of his great Antiquity. *Hermippus*, who flouriſh'd a little later, is another of my Authors; to ſay nothing of *Plutarch*, *Pliny*, *Hermodorus*, and many others, who, if laid in the Scale, will infinitely outweigh the Teſtimony of *Apuleius* and *Suidas*, if they really favour'd your Hypotheſis, which I am far from believing. I ſhall add only one Author, becauſe I think he has eſcap'd all the modern Criticks who have Writ of *Zoroaſtres*, *Nicolaus Damaſcenus*. He tells us; * that *the* Perſians *when they were burning* Croeſus, *bethought themſelves of the Oracles* (or Laws) *of* Zoroaſtres, *which forbad ſuch a Profanation of Fire*; and adds, that *'twas an Antient Prohibition:* which ſhows that *Zoroaſtres* was a great deal more Antient than *Cyrus*. By the *Oracles*

* Excerpta Valeſiana, p. 460.

of

of *Zoroaſtres*, I don't mean that Rhapſody of myſtical Nonſenſe publiſh'd by *Patricius*, but the Book of his Laws, or the Syſtem of Religious Worſhip; in the ſame Senſe as the Word λόγια is us'd, *Acts* vii. 38. *Rom.* iii. 2.

I am ſurpriz'd to ſee you ſend me to *Diogenes Laertius*'s Proem, which makes directly againſt you. The Paſſage you refer to is taken from *Xanthus Lydius*, who flouriſh'd, according to *Suidas*, under *Darius Hyſtaſpes*; which is confirm'd by * *Athenæus*, who ſays he was cited by *Ephorus*, who makes him elder than *Herodotus*. This Account all the modern Criticks are agreed in, as *Voſſius*, *Du Pin*, *Menage*, and *Harduin* in his Notes on the Authors cited by *Pliny*: ſo that, by your Reckoning, he muſt be Cotemporary with *Zoroaſtres*. The Relation which *Diogenes* borrows from him, is as follows: *Xanthus Lydius* makes ſix hundred Years between *Zoroaſtres* and *Xerxes*'s Expedition into *Greece*, and that after him there was a Succeſſion of many *Magi*, *viz.* the *Oſtanæ*, *Aſtrapſychi*, *Gobryæ*, and *Pazatæ*. What follows is an Addition of *Diogenes Laertius*; for 'tis impoſſible that a Writer who flouriſh'd under *Darius*, and his Son *Xerxes*, cou'd mention the Subverſion of the *Perſian* Monarchy by *Alexander*; which I wonder *Menage* and the Criticks han't taken Notice of. I am at a loſs to imagine what Conſequence you can draw from this Paſſage in

* P. 515.

Favour of your Hypotheſis. 'Tis apparent that *Xanthus Lydius*, who, upon your Suppoſition, was equal with *Zoroaſtres*, places him ſix hundred Years before the Expedition of *Xerxes*, which he never wou'd have done had they both liv'd in the ſame Age. He himſelf was a Subject of *Perſia*, and cou'd be no Stranger to their Religion, Laws, or Hiſtory, eſpecially to Facts in his own Memory. As for *Oſtanes* being his immediate Succeſſor, which is the Argument you inſiſt on, 'tis plain he cou'd not be above forty or fifty Years younger than his Maſter, and conſequently he muſt be many hundred Years elder than *Xerxes*. But if you believe, upon the Credit of *Xanthus*, that *Oſtanes* was the Succeſſor of *Zoroaſtres*, why won't you believe him when he places *Zoroaſtres* ſix hundred Years earlier than *Xerxes*? If you admit of one Article of the Relation, you ought, by the ſame Parity of Reaſon, to allow of the other; ſince both of them depend on the ſame Authority, and one is every Whit as probable as the other. Nor does *Xanthus* ſay that *Zoroaſtres* was follow'd by *Oſtanes*, but by the *Oſtanæ* in the Plural Number, that is, by a Succeſſion of ſeveral of that Name, and ſo of the reſt that are afterward mention'd, as * *A. Fabricius* rightly underſtands it, and † *Suidas* mentions an intire Succeſſion of that Name. § Here is too long a

* Bib. Græc. i. 14. † In Ὀστάνης.

§ Vid. etiam Geſuerum & Worth ad Tatianum. c. 28. & Scaliger. ad Græc. Euſeb. Chron. p. 420.

Train

Train of Succeſſors for ſo ſhort a Period of Time as paſs'd between *Darius* and *Xerxes*'s Expedition, in whoſe Reign *Xanthus* wrote, or thereabout. *Diogenes* indeed, by an abſurd Gloſs or Addition to *Xanthus*'s Relation, has inlarg'd the Time, and was led into that Miſtake, I ſuppoſe, by having heard of an *Oſtanes* who flouriſh'd under *Alexander*, as we are told by * *Pliny*. Thus, Sir, I think I have abundantly prov'd that many of the Succeſſors of *Zoroaſtres* bore the Name of *Oſtanes*; and 'tis as manifeſt from this Paſſage of *Xanthus*, that the firſt of theſe *Oſtanæ*, who was his immediate Succeſſor, cou'd not be the *Oſtanes* who came with *Xerxes* into *Greece*, becauſe he makes him many hundred Years elder: Which Account is confirm'd by *Apuleius*, in his Apology, who carries his Age to a much greater Height; for he makes him more Antient than *Moſes* and *Jamnes*.

As for the *Perſian* Writers, I know nothing of them but from *Texiera*, who tells us that *Mirkonde* has the Reputation of being their beſt Hiſtorian, who may be well ſuppos'd to have collected his Materials from their moſt Antient and approv'd Authors; whom, for that Reaſon, I can never believe to be above two Thouſand Years Old: For 'tis impoſſible that Writers who flouriſh'd under the *Perſian* Empire, cou'd have been ſo groſly Ignorant of the Succeſſion, Deſcent, Lives and Actions of

* L. xxx. 1.

their own Kings. This Charge upon them you muſt allow to be true, unleſs you are reſolv'd to give up all the Old *Greek* and *Latin* Monuments, and the *Bible* into the Bargain, and ſet up theſe ſorry *Romances* in their Room. I can never believe their Book of their Law to be the ſame they had formerly, becauſe the Religion is not the ſame. I gave ſome Inſtances of it in my firſt Letter, which I ſhan't Repeat, but only Obſerve, that the preſent *Perſians*, according to your Account, are downright *Deiſts*, whereas the Old *Perſians* were moſt certainly *Polytheiſts* and *Idolaters*, as appears from the Places I cited in *Clemens*, and *Epiphanius*: to which I ſhall add the Authority of a much better Writer, * *Strabo*, who liv'd in *Cappadocia*, where great Numbers of the *Perſian* Sect reſided, and openly profeſs'd their Religion; and 'tis impoſſible that an Eye-witneſs, as he affirms of himſelf, cou'd be miſtaken in his Account of their Worſhip. If you ask how their original Law came to be loſt, I anſwer, that 'tis very Natural to ſuppoſe, that after ſo many Turns and Revolutions in *Perſia*, it might have the ſame Fate which the *Jewiſh* Law ſo narrowly eſcap'd under *Joſiah*, when there was but one Copy of it left in the World. Or perchance it might have the Fortune of the leſſer Epiſtles of *Ignatius*, to be ſo chang'd by Additions and Interpolations, in Courſe of Time, as to become

* L. XV. 733.

a quite

a quite different Law. As to their preſent Book of the Law, it appears by the Account of *Herbert*, in his Travels, as to the Hiſtorical Part of it, to be ſuch a heap of ſilly Lyes and Legends, that I am apt to think the World has no great Loſs of Dr. *Hyde*'s Tranſlation. And * *Huetius* has given ſo many Inſtances of Facts and Doctrines manifeſtly taken from the Goſpels, and apply'd to *Zoroaſtres*, that no reaſonable Man can doubt of its being compos'd long ſince the Riſe of Chriſtianity; And if it ſtill bears the Name of *Zoroaſtres*, tho' forg'd ſo many Ages after him, that may be eaſily accounted for to any Man who has read the *Codex Apocryphus N. Teſtamenti*, Publiſh'd by *Fabricius*, where he will meet with Numerous Examples of mock Goſpels and Epiſtles, that were forg'd ſome Ages after the Death of the Authors to whom they are aſcrib'd, and as firmly believ'd by thoſe who receiv'd them as the *Zendaverta* is by the *Perſians*. *Mirconde*, if a Bigot, ought the rather to have related the Impoſture of *Zoroaſtres*, in order to have expos'd it, as *Sanders* and *Ward* have writ the Hiſtory of our Reformation, and as you have writ the Life of *Mahomet*. The Argument from the Silence of *Mirconde* is no demonſtrative one, nor did I urge it as ſuch; but I thought it very Natural to ſuppoſe, that if ſo memorable a Revolution in Religion had happen'd in the Time

* P. 88.

of *Gortorp*, it cou'd never have eſcap'd *Mirconde*, in his Hiſtory of the Tranſactions of that Reign: But if * *Texeira* is to be credited, *Zoroaſtres* was the ſame with *Zoakt*, the ſixth King of *Perſia*, who, according to *Mirconde*, flouriſh'd many Ages before *Gortorp*.

I ſhall conclude all with one Obſervation, that your Hypotheſis wou'd have been more plauſible and conſiſtent, if you had ſuppos'd two *Zoroaſtres's*, the firſt the Founder of the *Perſian* Sect, who is mention'd by all the old *Greek* Writers, and the ſecond the Reviver or Reformer of the ſame Sect, for whom you have the Authority of the *Eaſtern* Hiſtorians, as far as it will go. Upon this Suppoſition, you wou'd have avoided a World of Difficulties and Objections, which are never to be got over on the Foot you have now ſet it, without rejecting the Authority of the very beſt Writers of all Antiquity, which will never be allow'd by the Criticks.

Dr. PRIDEAUX's ſecond Letter.

Dear Couſin,

I HAVE receiv'd more of your Papers: To anſwer fully all that you object, wou'd require a Volume, which I have not Time or Strength to do, being almoſt worn out by Infirmity, caus'd by the

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* P. 31.

Calamity

Calamity I have ſuffer'd, and my advanc'd Age, as being now juſt upon the ſeventieth Year of my Life. This hath ſo far broken me, as to confine me wholly to my Houſe, and moſt an End to my Chamber: Only ſince you preſs particularly about the Ἀναβάσις *my Anſwer is, that* Xenophon *was not the Author of that Book, but one* Themiſtogenes *of* Syracuſe. *This* Xenophon *himſelf ſaith, in the Beginning of the third Book of his* Hellenics. *If you pleaſe to conſult* Uſher's Annals, ſub Anno J. P. 4313, *you will find this there fully made out, I have indeed quoted that Book under the Name of* Xenophon, *becauſe of the common Opinion which every where attributes it to him; but I think the Truth is otherwiſe. I perceive you hang much upon the Matter of* Zoroaſtres: *But all that you object is built upon Miſtakes. If you do not place him where I have, where elſe will you place him? Will you put him with* Plutarch, *five thouſand Years before the War of* Troy; *or, with others, ſix thouſand Years before the Time of* Plato? *Others indeed reduce the Thouſands to Hundreds, but all is Fable; for the Antients much affected a fabulous Antiquity for all they relate. They who put Things lateſt are generally neareſt the Truth. It is eaſy in all ſuch Matters to make Objections for pulling down, but then you ought to build up better in their Stead. I write with a paralytical Hand, which makes Writing difficult to me; for which I alſo need your Pardon. I am,*

Norwich, Jan. 30. 1716. *Dear Couſin, &c.*

Dr. PRIDAEUX's third Letter.

Dear Couſin,

THO' my Hand be almoſt paſt writing, as you will ſufficiently ſee by this Letter, yet I cannot omit thanking you for the Kindneſs of your laſt. I hope e'er this you have receiv'd my Book. I am ſure it will no where find a more obſerving and judicious Reader than your ſelf: I had ſufficient Experience of this in your learned Remarks on the former Part. They have inſtructed me for the making ſome Alterations againſt another Edition; but however I cannot recede from placing the Zoroaſtres, *who was the* Zerduſht *of the* Perſians, *and the Author of the Book* Zundaveſtow, *(which is the Bible of the* Magians*) in that very Age where my Book has plac'd him: To ſay otherwiſe wou'd be to contradict all the antient Hiſtories of the* Perſians, *and the general Tradition of all the* Eaſt. *What you object out of* Xanthus Lydius, *who liv'd in that very Age in which I place* Zoroaſtres, *looks like an unanſwerable Argument; it being by no Means likely that this Author ſhou'd aſſert* Zoroaſtres *to have liv'd ſix hundred Years before the Expedition of* Xerxes, *if he was his Cotemporary. One Anſwer hereto is, The Hiſtory that in the Time of* Diogenes Laertius, *went under the Name of* Xanthus Lydius, *was none of his, but written by* Dionyſius Scytobrachion, *who liv'd a little before the Time of* Tully *and* Julius Cæſar. *This* Athenæus *tells us,* lib. xii.

xii. *and quotes for it* Artemon Caſſandreus, *who wrote a Treatiſe on Purpoſe to make a Diſtinction of the genuine Authors from the Spurious, which were then Extant. But I am rather apt to think, with* Pliny, (lib. xxx. c. 1.) *that there were two* Zoroaſtres's, *the elder of which was the Founder of the* Magian *Sect, and the other the Reformer; and that this Latter was the* Zerduſht *of the* Perſians, *and liv'd in the Time where I have plac'd him.* Pliny, *in the Chapter laſt quoted, tells us of a* Zoroaſtres, *who liv'd but a little before* (paule ante hunc, *are his Words) that* Oſtanes, *who came with* Xerxes *into* Greece. Plato, *in the the tenth Book of his Politicks, ſpoke of a* Zoroaſtres, *who was* Herus Armenius, *a* Pamphylian. *This ſame was the* Armenius Pamphilus, *who* Arnobius *tells us, was familiarly acquainted with* Cyrus, (*See* Clem. Alexand. *and* Strom. v. p. 436. *Edit.* Hinſ. Arnob. lib. i. p. 31.) *I acknowledge the Paſſage in* Arnobius *is very dark; but if it ſignifies any Thing, it muſt ſignify thus much, That there was a* Zoroaſtres *who liv'd in the Time of* Cyrus. *I may add hereto, that the Antiquity which moſt of the Antients among the* Greeks *and* Latins *attribute to* Zoroaſtres, *is notoriouſly fabulous, as that of five thouſand Years before the Wars of* Troy, *and another of ſix thouſand Years before the Time of* Plato, &c. *In moſt Pretences to Antiquity, it may go for a general Rule, that they who ſay the lateſt ſay the trueſt. As to your other Objection againſt* Alexander's *having been at* Jeruſalem, *the Place you refer to in* Pliny, *manifeſtly makes againſt you; for the Words there plainly prove that* Alexander

was

was then at Jericho, *when that Inciſion was made in the Balſam Trees which he makes Mention of*; *otherwiſe theſe Words*, Alexandro magno res ibi gerente, *wou'd be very impertinently inſerted. And if he were at* Jericho, *he cou'd not go from thence to* Gaza *without taking* Jeruſalem *in his Way. The Words in* Pliny *to me plainly imply, that* Alexander *was at* Jericho *when that Inciſion was made, and that it was made at that Time, for his Sake, to gather ſome of the Balſam. That an extraordinary Providence has always attended that People, for their Preſervation, is manifeſt. That they are now in being is a ſufficient Proof hereof.*

I am, &c.

Norwich, July 10. 1718.

Mr. MOYLE's *Anſwer.*

LETTER VI.

Of ALEXANDER's *having been at* Jeruſalem.

SIR,

BIſhop *Uſher* produc'd the Paſſage of *Pliny* you have quoted, to prove that *Alexander*, after the taking of *Tyre*, invaded *Judea*. This I own'd, taking *Judea* in the largeſt Senſe of the Word, which includes *Paleſtine* properly ſo call'd, and conſequently *Gaza*, which *Alexander* beſieg'd, and to that Siege I ſuppoſe *Pliny* alluded.

Pliny

Pliny begins the 25th Chapter of the twelfth Book with theſe Words, *Sed omnibus odoribus præfertur Balſamum, uni terrarum Judeæ conceſſum*, &c. From this Period to the Paſſage you cite, *viz. Alexandro Magno res ibi gerente*, there is no Mention made of any Region, Province, City or Town of *Judea*; and conſequently by all the Rules of Grammar and Conſtruction, *ibi* can be referr'd to nothing but *Judea*. For *Pliny* Names the Country in general, without ſpecifying the particular Quarter of *Judea*, where the Balſam-Tree grew. This he did in Imitation of *Dioſcorides*, who ſays the very ſame: For as to *Theophraſtus*, he leaves it more at large, by ſaying that it grew in a Vale of *Syria*. But *the Balſam-Trees*, you ſay, *grew in the Gardens of* Jericho. 'Tis very true; but *Pliny* does not tell us ſo, and 'tis highly probable that he did not know it, or at leaſt had forgot it: For he has twice mention'd * *Jericho*, and deſcribes it in both Places, as remarkable for its Groves of Palm-Trees, without ſaying a Word of the Balſam-Tree, which was the diſtinguiſhing Rarity of *Jericho*, as being peculiar to that City only, and the moſt valuable Plant in the World: And *Pliny* cou'd not have fail'd to take Notice of it, if he had ever heard, or at leaſt remember'd, that the Balſam-Tree grew there. It may be objected, that *Trogus* and *Strabo*, both elder Writers than *Pliny*, have plac'd the Balſam-Garden at *Jericho*,

* L. v. 14. xiii. 4.

from

from whom he might have learn'd it. As to the firſt, the Text is doubtful, one Manuſcript only favouring the vulgar Reading; and 'tis uncertain whether the Word *Hierichus* is *Trogus*'s, or his Abridger *Juſtin*'s. And beſides, *Pliny* has never cited the Hiſtory of *Trogus*, tho' he has mention'd his other Works. And as for *Strabo*, he has never once quoted him in the whole Courſe of his Hiſtory: From whence one may fairly infer, that he had never read thoſe Authors, or at leaſt had forgot that Particular in them.

This Paſſage *Pliny* has borrow'd (as *Theophraſtus* has done the latter Part of it) from an Author not now Extant: But by the Mention of *Alexander*'s being in thoſe Parts at that Time, one may eaſily gueſs in what Age he liv'd. He has more than once cited the *Comites Alexandri*, for the Diſcoveries they had made of new Plants and other Rarities, during their Attendance upon *Alexander*, in his *Eaſtern* Expedition; and 'tis very natural to ſuppoſe, that their Curioſity might lead them to viſit ſo celebrated a Plant as the Balſam, while *Alexander* lay with his Army in thoſe Parts: And from their Relations, I am perſuaded, *Pliny* took this Circumſtance of his Deſcriptions. So that there is no Neceſſity to infer from this Place, that *Alexander* had been at *Jericho* himſelf. He had too much Work upon his Hands, at this Juncture, to ſpend a whole Summer's Day in trying Experiments upon the bleeding of the Balſam-Tree. Beſides, *Jericho* lay out of his Way from *Tyre* to *Jeruſalem*, whether *Joſephus* makes him march directly, tho' not indeed

indeed from *Tyre*, but from *Gaza*. Nor did he wage any War in *Judea*, properly ſo call'd, which is imply'd in *Pliny*; for your own Author tells us, that the whole Country ſubmitted without ſtriking a Blow, and receiv'd him with open Arms.

I am ſo far from thinking that *Alexander* was ever at *Jericho*, that I don't believe he ever was in any Part of *Judea*, ſtrictly ſo nam'd. 'Tis moſt probable that he took the direct Road to *Tyre*, along the Sea-Shore thro' *Phœnicia* and *Paleſtina*, properly ſo call'd, to *Gaza*. *Joſephus* makes him march directly from *Tyre* to *Gaza*. The ſame is plainly imply'd in *Arrian*; and *Curtius* ſays that he order'd *Hephæſtion*, with the Fleet under his Command, to coaſt along the Shore of *Phœnicia*, while he came himſelf with the Land-Army to *Gaza*, without making the leaſt Mention of any Action that interven'd in his March thither. And is it poſſible to ſuppoſe that if he had reduc'd *Judea* by the Way, the Conqueſt of ſo important a Province wou'd have been paſs'd over in Silence by *Curtius*, who is ſo very particular in the Relation, of the inconſiderable Exploits of *Alexander*? This confirms what I obſerv'd from *Arrian* in my firſt Letter, that *Judea* had ſubmitted to *Alexander*, before he mov'd from *Tyre*.

I won't repeat the falſe Dates and other Inconſiſtencies which I have diſcover'd in *Joſephus*'s Relation. I conſider the whole as a Religious *Romance*, to which you ſay the *Jews* of thoſe Times were much addicted; and perhaps 'twas forg'd

forg'd in the ſame Mint with *Ariſtæus*'s Hiſtory of the Septuagint, which you have ſo admirably well confuted.

The Explication I have given of thoſe Texts of Scripture which make Mention of the Empire of the *Medes* and *Perſians*, is confirm'd by a parallel Paſſage of *Polyænus*, in his Dedication to *Antoninus* and *Verus*, where he preſages that they wou'd obtain the Victory over the *Perſians* and *Parthians*. In this laſt Caſe, there is not the leaſt Pretence for a voluntary Coalition between theſe two Nations, or that they were joint Sharers in the Sovereignty. 'Tis poſſible indeed that the *Perſians* might then have a Nominal King or Viceroy, as they had in *Strabo*'s Time; but 'tis certain he was ſubject to the *Parthians* till *Artaxerxes* ſhook off the Yoke, and reſtor'd the *Perſians* to their Independence and Empire. I can't imagine what other Account can be given for theſe two Nations being mention'd together on this Occaſion, than what I have aſſign'd for the *Medes* and *Perſians* being jointly nam'd in the Bible.

Archbiſhop *Uſher*'s Conceit, that *Themiſtogenes* was the Author of *Xenophon*'s Ἀνάβασις, againſt the Conſent of ſuch a Cloud of Witneſſes as he has produc'd, is a very odd Paradox. To the nine Authors he has nam'd, all of unqueſtionable Credit, I ſhall add eleven more, *viz.* * *Ælian*, † *Lucian*, § *Strabo*, *Stephanus*, *Euſtathius*, in *Dio-*

* L. vii. 14. † In Somnio, p. 11, 12.
§ L. viii. p. 387.

nyſium,

nyſium, *Heſychius*, *Pollux*, *Harpocration* paſſim, *Ammonius* the Grammarian in ἀποδιδράσκειν, *Suidas*, and *Tzetzes*. Is it poſſible for any antient Fact to be better atteſted? The only Argument *Uſher* inſiſts on, is fairly accounted for by *Plutarch*, whom he cites, and by ** *Tzetzes*. 'Tis true, they don't agree in their Reaſons for *Xenophon*'s giving *Themiſtogenes* the Honour of this Hiſtory; but their Reaſons are very conſiſtent with each other, and are very properly brought if true. All the modern Authors of any Note, follow the Authority of the Antient, who were certainly the beſt Judges in this Controverſy. But ſetting aſide the Teſtimonies of the Old and New Criticks, the Conformity of the Style, and the Way of thinking in this Book, with the reſt of *Xenophon*'s Works, is to me a Demonſtration, that either *Xenophon* was the Author of this Piece, or *Themiſtogenes* of all the reſt that are father'd on *Xenophon*. The Biſhop is ſingular in his Opinion; not one Critick, that I know of, having thought fit to follow him: But the Biſhop's Conduct, upon this Occaſion, is eaſily accounted for. The Authority of the *Cyropædia*, for Reaſons which are very obvious, was to be maintain'd right or wrong, tho' all Antiquity thought it a Romance; and his Ἀνάβασις, which every Body knew to be a true Hiſtory, ſo groſly contradicting it, was a plain Proof that *Xenophon* deſign'd it as ſuch. To

** In Chil. vii. 154.

evade

evade this Difficulty, and to vindicate the Authority of the *Cyropædia*, the Biſhop was forc'd to father the Ἀνάβασις on a different Author.

Athenæus indeed tells us, that *Artemo Caſſandreus* affirms that the *Lydiaca*, which paſs'd under the Name of *Xanthus*, was writ by *Dionyſius Scythobrachion*: But he is ſo far from being of *Artemo*'s Opinion, that he reproaches him with Ignorance, in not knowing that this Book had been cited by *Ephorus*, and that the Example of *Xanthus* ſet *Herodotus* upon writing his Hiſtory. Both theſe Authors flouriſh'd Ages before *Dionyſius Scythobrachion*, as you very rightly obſerve; and the Paſſage of *Suetonius*, from which * *Caſaubon* infers the contrary, is a Demonſtration againſt himſelf. So that 'tis plain *Athenæus* thought the *Lydiaca* genuine. 'Tis cited as ſuch by *Strabo*, and by *Dionyſius Halicarnaſſenſis*, the beſt Critick of the Politeſt Age that ever was, who at the ſame Time gives a very great Character of the Author: to ſay nothing of *Pliny*, *Suidas*, *Stephanus* and others, who make frequent Mention of this Hiſtory, without the leaſt Suſpicion of its being counterfeit. So that we have all the external Evidence can be deſir'd to prove it genuine: and as for internal Proofs, there are none to be had, there being nothing extant of this Hiſtory but a few Scraps, that can give us no Light one way or other. But after all, allow-

* De Grammat. illuſt. c. 7.

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ing this Hiſtory to be a ſpurious Work, it won't affect my Argument at all; for I don't ſuppoſe the Paſſage in *Diogenes Laertius* we are diſputing about, was borrow'd from the *Lydian* Hiſtory of *Xanthus*, but from another Work of his that treated of the Doctrine and Principles of the *Magians*, and is cited by * *Clemens Alexandrinus*. So ſay *Voſſius*, *Du Pin*, *Harduin* and *Menage*; and 'tis infinitely more natural to ſuppoſe that he mention'd the Age of *Zoroaſtres* in a Book which treated of a Sect of which he was the Founder, than in the Hiſtory of the *Lydian* Antiquities, in which *Zoroaſtres* was no ways concern'd. *Artemo* an obſcure Writer, againſt a Cloud of Witneſſes.

But your other Anſwer is far better and I think you are extremely in the right to ſuppoſe two *Zoroaſtres*'s. 'Tis the Expedient I propos'd to you in my laſt Letter upon this Subject; and I think it impoſſible to reconcile the *Grecian* and *Perſian* Accounts upon any other Hypotheſis. This will render your whole Relation infinitely more probable; and your making the laſt *Zoroaſtres* not the Founder but the Reformer of the *Magian* Sect, will, in ſome Meaſure, account for the little Mention that is made of him by the *Weſtern* Writers; it being poſſible that ſome of the Actions and Doctrines of the latter, may, thro' Miſtake have been Father'd on the former *Zoroaſtres*, who

* L. iii. 515.

gave the first Rise to that Sect; and for that Reason was most celebrated by the *Greek* Writers. Give me Leave to observe a Mistake you have made in this Subject, in the first * Part, which shou'd be corrected in another Edition: You there cite *Jamblichus*, to prove that *Pythagoras* was the Scholar of *Zoroastres*; but *Jamblichus*, in the Place you mention, says only in general, that *Pythagoras* convers'd with the *Magi*, without naming *Zoroastres*, or any other of that Sect.

Part II. Book VIII. p. 588. 8*vo*.

That OCTAVIANUS's *Posterity never enjoy'd the Empire.*

Agrippina the Daughter of *Julia*, *Augustus*'s Daughter, was the Mother of *Caligula* the Emperor, and of *Agrippina* the Mother of the Emperor *Nero*: So that *Caligula* was the great Grandson of *Augustus*, and *Nero* his great great Grandson.

Dr. PRIDEAUX's fourth Letter.

Dear Cousin,

I Do most heartily thank you for your kind Letter, especially for the Observations which you have sent me of my Mistakes in the last Part

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* Part I. Book IV. p. 228.

of

of my Hiſtory. I muſt confeſs that about Octavius's *Poſterity is a very great one. It is a downright Blunder of my old Head, and I am glad ſo accurate and learned a Reader has not obſerv'd more of them. This makes me hope that no more ſuch have eſcap'd me. I have mended this, and all the others you have taken Notice of; only I cannot make* Socrates *a* Sodomite. *The Place in* Juvenal *which you mention, reflects on him for his Affection to* Alcibiades, *as if that were a* Sodomitical *Amour. I am paſt labouring any further, being now paſt the ſeventieth Year of my Age. If I out-live the enſuing Winter, it is more than I expect, or indeed deſire; for I have now upon me thoſe Decays both of Body and Mind as make me fully ſenſible*——Gravis eſt & dura Senectus. *Every body cannot live ſo long as my Aunt* M. M. *tho' perchance I might have liv'd much longer, and in full Vigour, had not my great Calamity come athwart me; conſidering that, it is much that I have laſted ſo long. I bleſs God for all his Mercies hitherto.*

I am, Dear Couſin, &c.

Norwich, Sept. 6. 1711.

AN

ESSAY

ON THE

Lacedæmonian Government.

ADDRESSED TO

Anthony Hammond, *Esq;*

In the Year, 1698.

AN

ESSAY

ON THE

Lacedæmonian Government.

WE learn from *Herodotus*, that the *Lacedæmonian* Government, or Civil Politie, was reformed by *Lycurgus*, before whoſe Time, it was ſuch, that it did not anſwer the Ends of Government either with Regard to foreign Affairs, or to their own domeſtick and private Welfare among one another: It appears from this, that it is not peculiar to Popiſh Tyrannies only, for Human Kind to ſuffer the greateſt Indignities and Cruelties under a Notion and Pretence of Government, as, you know, *Fletcher* * loves to maintain.

* An eminent Scots Gentleman of *Salton*.

" This wiſe * Law-giver made ſuch Checks in " the executive Part of the Government, that " in the Adminiſtration they reciprocally con- " trouled each other.

The *Lacedæmonian* Government was the ſame with that of *Crete*, and the Baſis of each was ſettled upon this Maxim, *that* Liberty *is the Chiefeſt Good of* Civil Society, becauſe it is That which makes every Thing elſe we poſſeſs, our own. But without this Liberty, all Property centers in thoſe who govern, and not in them who are governed †.

It is obvious that this valuable Liberty cannot be preſerved without ſufficient Security from Laws, which may create ſuch a Temperament in the Conſtitution of the Government, that a due Ballance in Property, Power and Dominion is formed by it. From hence it is, that the Common-wealth of *Sparta* has been very rightly defined to be a Government of Laws, and not of Men; and what can reaſonable Creatures wiſh for, but to live under an Empire of Laws?

From *modern Politicks* we have been Taught the Name of the *Ballance* of *Power*, but it was *ancient Prudence* Taught us the Thing.

To ſearch to the Bottom into the Nature of this Government, (the Subject of our preſent Conſideration,) we muſt remember that *Lycur-*

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* See, *Herodotus*, Clio.

† See, *Strabon*, Geograph. Lib. x.

gus

gus when he firſt begun to give a New Model to the Common-wealth, found the greateſt Part of the People to be wretchedly and deſperately poor, and ſome few exceſſively rich; his Intention and Deſign was to baniſh on the one Side, Envy, Fraud and Violence; and on the other, Inſolence, Luxury and Oppreſſion; and together with theſe, Riches and Poverty, each of them, when in Extreams, Diſeaſes dangerous to the Tranquillity of a Common-wealth; upon this he perſuaded them to come into a new and equal Diviſion of Lands, and that for the Time to come none ſhould aim at Priority and Precedency in any Thing, but in Private and Publick Merit; that all ſhould live upon equal Terms with one another, declaring there ought to be no Difference between Man and Man, but what ariſes from the juſt Praiſe of Virtue, and a neceſſary Reproach of Vice.

After he had gained this important Point, we are told that as he paſſed through the Country in the Harveſt-Seaſon, and ſeeing the Shocks of Corn all of a Size; he ſmiled and ſaid, the Country looked as if it belonged to Brothers, who had newly parted their Inheritance. Thus the Crimes which are perpetually committed out of the Love of Money, did of themſelves ſoon ceaſe. But this *Golden Age* at *Sparta*, when Gold it ſelf was of little Worth or Eſteem, declined; for ſo early as in the Time of *Cræſus*, (the *Lewis le Grand* * of that

* The XIVth.

Age)

Age,) the *Lacedæmonians* began to caſt amorous Glances upon the beauteous Metal, and being corrupted by him, they connived at the Slavery he brought upon the *Græcian* Republicks in *Aſia*, and by that Means they loſt their Barrier; for the Liberty of a Government is as nice as the Chaſtity of a Woman: You know, dear *Hammond*, that if the Fair One gives up the Outworks, the Citadel is not long maintained. Some time after the equal Diſtribution of Lands (the *Agrarian* Law,) was ſhaken, though this was judged to be the immoveable Baſis of the Common-wealth. Then Covetouſneſs entered, and after that a ſtrong Tendency to Eaſe and Pleaſures, which ſoon overcame the Sober and Maſculine Temper of their firſt Inſtitution, inſtead of that private Integrity of Mind, and that Publick Probity of Manners towards their Friends and Neighbours which accompanied their Original State; Pride, Avarice and Injuſtice, ſupported by Riches and Power, advanced in Triumph; and a Government that grows effeminate and weak at home, will ſoon become deſpicable and odious abroad; and as it declines from Virtue, will ſink in Glory, and fall to Ruin.

Thus you ſee, as a good Author expreſſes it; *Eadem Fabula ſemper in Mundo agitur, mutatis duntaxat Perſonis*; which agrees with what *Thucydides* ſays in his third Book, *Eadem accidere, donec eadem Hominum Natura. Juſtin* in his Epitome of *Trogus Pompeius*, thought an Author defective in Chronology, and taken ſingly,

ſingly, not entirely to be depended upon, yet he is very uſeful for ancient Hiſtory; and particularly in what he ſays of the *Lacedæmonian* Government, in his third Book; I refer you to him not being willing to tranſcribe the whole, though he gives Hints ſufficient there, to form an Idea of that *Republick.* It was conſidered that the Body of a People ſhew no Avarice, but in deſiring to be equally taxed, nor no Ambition, but to be quiet and happy under a juſt and well-poiſed Government. And it appears This was ſuch, for its Adminiſtration was lodged in the different Eſtates that compoſed the whole; the Kings had the executive Power in War, the Courts of Juſtice were in the Hands of the Magiſtrates by a Rotation of annual Succeſſions; in the Senate was lodged the Legiſlature, to the People belonged the Choice of the Senators, and the Power of removing Officers. Thus the Perfection of Government was aimed at in thoſe early Times; it was judged to conſiſt in governing ſo, as Men might ſeem to determine themſelves freely, while they were guided by the Laws, and the Subject had juſt Grounds to believe that his own Advantage and Profit conſiſted in Obedience; but to ſpeak my Thoughts, the Nature and State of Man reacheth not to the ideal Perfection of Government; Men can no more judge of their own Good than Children, ſome are too dull, and ſome too negligent; a Truſt is neceſſary, from hence ariſes Government, but ſtill the Imperfections and Weakneſs of Human Nature muſt go along with it. However

However abſolute Slavery is an unjuſtifiable Uſurpation upon Nature, and I cannot conceive how abſolute Governments exerciſed tyrannically can think their ſuffering Subjects are under an Obligation of Obedience, becauſe ſuch ſervile Subjection implies a Man's renouncing his Reaſon, which amounts to a Renunciation of Human Nature it ſelf.

From the *Lacedæmonian* Government *Harrington* formed his Definition, which is the Baſis of his *Oceana*. "An equal Common-wealth, *ſays* "*that excellent Author*, is a Government eſta- "bliſhed upon an equal *Agrarian*, ariſing in- "to the Superſtructures, or three Orders, the "Senate debating and propoſing, the People "reſolving, and the Magiſtracy executing by an "equal Rotation through the Suffrage of the "People given by the Ballot*.

How nearly this is drawn from *Lycurgus*'s Inſtitution, you may read with Pleaſure in his Life writ by *Plutarch*, and his Laws were kept in *Sparta* almoſt ſeven hundred Years, and during that great Length of Time the Common-wealth flouriſhed in all poſſible Proſperity; he began with the forming of Youth, and in them their Courſe of Life was ſo ſtrict and auſtere, that War, when it was juſt and neceſſary, ſeemed natural to them. *Diogenes* ſaid, when he returned from *Lacedæmon* to *Athens*, that *he came from Men to Women*; their Diſcipline was ſuch both

* *Harrington*'s Oceana, p. 55.

in

in War and Peace, that it made their City feared as well as honoured by all their Neighbours. They were eſteemed the chief among all the *Grecians*, and had a directive Power over all the reſt. Sovereignty and Liberty were conſiſtent with each Perſon, and no Way prejudicial to one another; their Kings, tho' of the Race of *Hercules*, were not uneaſy in having their Power limited, and the Legiſlature kept within their Bounds. You may obſerve in every Government, that when the executive Power is transferred to the Legiſlative, there is no Controul, nor can there be any Check upon them; the People in ſuch a Caſe muſt ſuffer without redreſs, they have no Reſource; becauſe they are oppreſſed by their own Repreſentatives. The *Ephori*, or *Tribunes* of the People, whoſe Authority in many Reſpects was above the *King*'s, made the Government ſeem a *Democracy*; the Decrees of the Senate, (in whom the Legiſlature reſted,) were uncontroulable; in this it reſembled an *Ariſtocracy*, and the *regal Power*, which like the Soul did animate the whole, ſhewed ſomething Monarchical in it. He had Power to do Good, but none to do Harm. The Conſideration of this Government was of equal Uſe to *Sidney* as well as *Harrington*; the former has I think been longer in confuting Sir *Robert Filmer*'s Patriarchal Hypotheſis, than it deſerved, which makes that Part of his Work ſeem tedious; but his Notions of Government are generally right, and expreſſed with a Force, and Spirit, beyond what is commonly to be met with. One Thing is very well

worth

worth your Notice in this Author, and that is, the admirable Uſe he makes of Hiſtory, through the whole Courſe of his Book. Hiſtorical Reflections are finely interwoven in all his Diſcourſes. Such a Uſe of Hiſtory ſeems to be wanting in many Authors, who treat of Politicks. It is objected againſt *Sidney*, that he makes the Grounds and Obligation of Subjection and Obedience to Government too Precarious and Looſe; but this Objection ſeems to be taken from ſome incorrect Expreſſion, which have fallen from his Pen, and do not ariſe from the regular Hypotheſis he advances; and it muſt be conſidered, that this Work never had his laſt Hand. If you look into *Sidney*, I would adviſe you to read firſt the Anſwer that has been made to *Filmer* by Mr. *Locke*, and his *Eſſay on the Original, Extent and End of Civil Government*; that Piece contains the firſt Rudiments upon this Subject. I know a Gentleman, who calls it the A. B. C. of *Politicks*. But I might ſpare giving theſe Notices to you, who are an Adept in the Science. But to return to *Lycurgus*; when the *regal Authority* was put down at *Lacedæmon* he eſtabliſhed a Senate of twenty eight Men, to whom he joined two Kings Deſcendants of *Hercules*, as was hinted above, beſides the *Fundamental Inſtitutions* he left them. This Senate was to make Laws, Decrees and Orders for the governing of the Common-wealth. But theſe Laws were to have their Ratification from the People, who frequently refuſing to confirm the Decrees of the Senate, the Government was ſometimes reduced to Difficulties; ſo about one

one hundred and thirty Years after *Lycurgus*, *Theopompus* and *Polidorus*, at that Time the Kings of *Sparta*, transferred the Power of making Laws on the Senate: The People were ſoothed into the permitting of this by the Pretence of an *Oracle*'s commanding it; as a farther Compenſation, and to ſcreen them from the Tyranny that they might be liable to, either from the *Kings*, or the *Senate*, the *Ephori* were ſet up; and it is from the ſetting up of theſe high Magiſtrates, that the four hundred Years of the Duration of that Republick is computed by *Thucydides*. The nearer you inſpect and take a View of the *Lacedæmonian* Common-wealth, you will find, as I formerly hinted, the true Conſtitution of the Government to conſiſt in this, that it contained in its Formation a proper Diſtribution of Power into ſeveral Branches, in the whole compoſing as it were one great Machine, and each grand Branch was a Check upon the other; ſo that not one of them could exceed its juſt Bounds, but was kept within the Sphere in which it was circumſcribed by the original Frame. From the Laws of eternal Reaſon, it is evident, that Number, Weight and Meaſure goes through the Civil, as well as the natural World; and as all Things were at firſt created, ſo are they ſtill governed with Rules neceſſarily reſulting and flowing from thence: From this Reaſon and Neceſſity (the Words are Equivalent, and of the ſame Signification in the Language of the Schools) ariſes the Truth of that Political Maxim, which you tell me Mr. *Harley*

*ley** often repeats; *Res nolunt adminiſtrari diu*: That is, a Government cannot ſubſiſt *long* under an *ill* Adminiſtration. Obſerve that the Weight of the Propoſition reſts upon this, that ill Management, Confuſion, and Diſorder cannot long ſubſiſt. Phyſicians ſay, that *acute Diſeaſes* either *cure* themſelves, or *kill*; ſo the Conſtitution of a Government either recovers it original State from under a wrong Adminiſtration, or it dies; that is, changes its Form, and is renewed under another, for Human Societies can never ceaſe and break up entirely. Even in Civil War, (the great Reproach and Blemiſh of Human Prudence, or rather of Human Nature) each Side maintains a juſt Government among themſelves, however monſtrous and barbarous they are to the adverſe Party. It is an agreeable Thought to conſider how many Millions of People lived happily and died quietly under the *Spartan* Government in a Succeſſion of ſeven hundred Years. I do not regard the Severities of the Diſcipline, with which their Youth was educated: It is the weak and only Cenſure with which the corrupt Advocates of *Abſolute Monarchy* could ever aſperſe that Republick. Theſe Men do not fairly conſider, that the Severity they complain of, was amply recompenſed by the true and ſubſtantial Nouriſhment it gave to the Seeds of innate Virtue among them; and afterwards it was ſtill more amply recompenſed by the Reſpect and Veneration that

* The late Earl of *Oxford*.

was

was paid to thoſe Youths, when they became old Men. The private Virtue, which that rigid Education inſtilled, gave a Strength to their publick Government; and it was that Strength enabled the Common-wealth upon extraordinary Emergencies to right her ſelf ſoon, if I may uſe a Sea-Phraſe, when *Storms* had brought her to lye almoſt *a long Side*. Such a Vigour we have once ſeen in *England* upon the late happy *Revolution*; and I wiſh from my Soul, that *England* may never want a *like Vigour* upon a *like Occaſion*.

In *Lacedæmon* the diſtinct Function and different Power of each Branch of the Government was well known, and therefore it was as well known among them, when an Encroachment and Invaſion was made by the *one*, upon the inherent Rights and inſeparable Privileges of the *other*. I ſhould be glad we could ſay the ſame Thing of our own Government here in *England*; but the Boundaries and Limits of *Prerogative* and *Liberty* are not yet ſo well ſtated with *us*. To ſpeak with Freedom, and I hope without Offence to the learned and pious Body you repreſent *, I muſt tell you plainly, that the *Clergy* have for a great Number of Years contributed chiefly to perplex the Notions and muddle the Brains of the *People* about our *Engliſh Conſtitution*: However I do as freely own they did their

* *Anthony Hammond* Eſq; was Repreſentative for the Univerſity of *Cambridge*.

Duty very well, juſt upon the *Revolution*; and whatever their *Theories* were, they did at that Criſis act rightly *per Viam Facti*, as the Civilians term it. To reconcile their Practice then to their ſpeculative Maxims before and ſince, their Proceedings as freeborn Subjects to the *Jura Sanguinis* and the *Indefeaſible Rights*; that is their Buſineſs, as Sir *Robert Marſham* uſed to ſay. But ſince I have touched upon this Point, ſpare me a Word; I am, dear *Hammond*, on the Side of *Liberty*, I have traced this Matter to its Source, and it may be perhaps of Uſe to you at the *Roſe* or the *three Tuns* *. It may be obſerved, that Arguments ſupported with the ſtrongeſt Reaſons, and moſt convincing and cogent to us of the *Laity*, have not the ſame Efficacy and Weight with the *Clergy*; they ſtill oppoſe us, and contradict us even in Matters which we take to be the common and undoubted Rights belonging jointly and mutually to the *Parſon* as well as to the *Pariſhioner*. How is it poſſible, that Men of great Learning, Piety and Reaſon, ſhould not have the ſame Care of their own and our Rights as we have, and the ſame Conviction of what our Rights are, as we our ſelves have, upon clear Reaſon in plain Terms offered to them. It certainly can ariſe only from hence, we muſt neceſſarily differ in Principles, and then it is not difficult to apprehend, that what is clear Senſe

* Taverns uſed by a ſelect Number of Members of Parliament.

to

to Men of my Principle, may not affect the Judgment, nor guide the Conſciences of very good Men of a different Principle from me. My Principle is, that the *King* is *King* by the Fundamental Law of the Land, and by the ſame Law, and no other, the meaneſt Subject enjoys the *Liberty* of his *Perſon* and *Property* in his *Eſtate*, and it is every Man's Concern to defend this to his utmoſt, as well as the *King* in his lawful Rights and Prerogatives.

It is alſo my Principle that the Houſe of Lords and Commons are an eſſential Part of the Government, and eſtabliſhed by Laws of equal Force and Validity with thoſe by which regal Power is ſettled among us. According to this Principle every honeſt Man that holds it, muſt endeavour with equal Care and Courage to preſerve the Frame of our Government in all Parts and Branches of it, and cannot in Conſcience give up the one to the other. He that from any indirect Motive, or from a Love of Eaſe ſhall depart from endeavouring this, will ſoon loſe the Sweetneſs of that Eaſe which induced him to be either Falſe, or Remiſs in the Service of his King and Country. But while ſome of the *Laity* are labouring in this Service, there are thoſe among the *Clergy*, who act upon another Principle, which they brought into the World about the Year 1640. We agree that the King and Government is to be obeyed for Conſcience Sake, and the Precepts of Religion require Obedience not only of the Subject here, but in all Parts of the World, to their lawful Governours;

but this particular Frame of Government is our legal Conſtitution by the Laws of the Land. Monarchy by Divine Right cannot be bounded nor limited by human Laws, nor can it indeed effectually bound it ſelf. All Claims veſted in the People collectively, or in Particulars, either by the Conſtitution of the Government, or by Law, all Juriſdictions and Privileges of the Houſe of Lords, all the Rights of the Houſe of Commons, all the Liberties and Properties of the People are, according to this Principle, to be yielded up, if required, not only to ſerve the Intereſt, but the Will and Pleaſure of the Crown. The beſt and worthieſt Men, holding this miſtaken Notion muſt, if they act conformably to it, ſurrender accordingly. Could the *Lacedæmonian* Government have held long, if a Party among them of this Stamp had prevailed? This Principle was a main Occaſion of the *Civil Wars* among us, and contributed to bring us to the very Brink of Ruin before the *Revolution*; and if it ſpreads again, will be fatal to us by throwing us into Confuſions and Tumults: One Concluſion may be naturally drawn from the Subſtance of this Digreſſion, which will properly bring us to our Subject: The *Ephori* were the Guardians of Liberty at *Sparta*, as our Parliaments are *here*; and I muſt needs give the Preference to a Repreſentative of the People, as a better Security againſt the Encroachments of regal Power, than their *Ephori*, or the Tribunes among the *Romans*.

The *Athenians* making large Conqueſts in *Aſia*, began to eclipſe the *Spartan* Glory, upon which a War

a War enſued between them, and after various Loſſes ſuſtained by *Athens*, they took the City and diſmantled it. Soon after this Succeſs the War between them and the *Bœotians* broke out, who were underhand aſſiſted by the *Athenians*, and openly by the *Perſians*. Here they felt Shocks unknown to them before that Time; I refer you to the Life of *Epaminondas* the *Theban*. Next they were involved in the *Holy War* of that Age, and much ſtreightned by *Philip* of *Macedon*; but ſtill they held their Liberty, till *Antigonus*, one who ſucceeded in a Part of *Alexander*'s Empire, defeated *Cleomenes* their laſt King, killed his Brother and 6000 *Spartans*, entered the City, and was the firſt Man that ever was received into it as a Conqueror. This was 221 Years before the Chriſtian *Æra*, and above 700 Years from *Lycurgus*. Thus I have in a few Words given you a Crayon of the Hiſtory of the *Lacedæmonians*, which may be a Guide to you in reading any of the Occurrences of that *Government*. The moſt learned Civilian *P. Ærodius* in his *Collection of the Antient adjudged Caſes*, (*ab omni Antiquitate*, as he expreſſes it, that agree with Reaſon, and tend to the Illuſtration of the *Civil Laws*,) has many more *Caſes* drawn from *Precedents* among the *Lacedæmonians*, than from any other People; you may likewiſe obſerve that in *Valerius Maximus* the Inſtances of Wiſdom and Virtue taken from the *Spartans*, bear no ſmall Proportion in his Rhapſody. Having *Lucius Florus* now in my Hands, (the Panegyrical Hiſtorian of the *Roman Common-wealth*,) I cannot omit men-

tioning the Account of a Defeat which he was to make the beſt of, and paſſing over the Number of thoſe ſlain and thoſe taken Priſoners: *Hic paulùm circumacta Fortuna eſt, tantùm ut plura eſſent Romanæ urbis Inſignia, cujus ferè magnitudo calamitatibus approbatur. Nam converſis ad externa Auxilia hoſtibus, cum Xantippum illis ducem Lacedæmon miſiſſet, à viro militiæ peritiſſimo vincimur, cum fœdâ clade, Romaniſq; uſu incognita, vivus in manus hoſtium venit fortiſſimus Imperator,* [*Regulus* *.] This Action in our common Chronologies is placed 253 Years before Chriſt. We cannot Form a juſter Idea of the Excellency and Efficacy of the *Lacedæmonian* Inſtitutions and Laws, than by looking into the Lives of the great Men, who have been produced under that Government; a Liſt of ſome of them are given us by *Lucius Ampelius* as follows, *Lycurgus, Theopompus, Polydorus, Othryades, Leonidas, Pauſanias, Leander, Xantippus, Ageſilaus.*

The Antient Civil Government of all *Greece*, and that will take in *Peloponneſus*) may be conſidered. Firſt, in its Origination. Secondly, under the various Alterations it went through.

As to the firſt, its Origin, we ſhall find that ſome Governments aroſe from Conſent and Compact, and that in particular Cities, ſome were independent on any other for their Original, and

* See *Lucius Florus* on the firſt *Punic* War, Book II. Chap. ii.

others

others owed their Original to neighbouring Cities, who ſent out Colonies to plant them.

In the Alterations that happened in their Governments, ſome of them aroſe by Conſent among themſelves, as was the Caſe of *Lacedæmon*, and others of thoſe Alterations that aroſe by inteſtine Seditions, which made Way for Uſurpation, and others were changed by Conqueſt from Abroad. I have been the more minute in thoſe Diviſions, becauſe I am perſwaded they may be of Uſe in reading not only the *Grecian* Hiſtory, but alſo the Hiſtories of all other Parts of the World, if you trace them from their firſt Sources. For the clearer Diſcovery of theſe Points, as they relate to *Greece* it will be neceſſary to conſider the Conſtituent Cauſe of Civil Government, *the People*, in their Origin, and in their Diſpoſitions and Manners: As to the firſt of theſe, we find two very differing Accounts, ſome ſay they were deſcended from Anceſtors, who came thither from *Ionia*, *Doris* and *Æolia* in *Aſia Minor*; and others aſſert, that they were *Aborigines*, or ſprung out of the Earth, where they inhabited, and had always lived thereabouts; this is all the Notices we can have of them from their own Authors; the latter of which, however falſe it may be, ſerves to teach us thus much, that the Country had been inhabited Time out of Mind: As to their Whimſey of being *Aborigines*, I think it ought rather to be looked upon as a frivolous Notion in their Philoſophy, than an Error in their Hiſtory; and ſince they endeavour to perſuade us that all the *Weſtern* Nations were

derived and peopled from them, why may we not rather conclude in arguing againſt their Notion, that they themſelves were Colonies from the *South-Eaſt* Parts, rather than that their Land peopled it-ſelf, unleſs they pretended to prove that their Soil was better able, and more diſpoſed to bear Mankind than any other. If from the Origin we come to their Diſpoſitions and Manners in the moſt antient Times, before they coaleſced into their reſpective Governments, we ſhall find them to have been very barbarous, and wandering from one Place to another in queſt of Food and Maintenance; thoſe who inhabited barren Countries, making frequent Incurſions upon thoſe that held the more fruitful, and theſe were often driven out to make Room for others, and afterwards thoſe again expelled. The moſt fruitful Countries were the conſtant Scenes of ſuch Viciſſitudes: Theſe Changes of Inhabitants were more frequent in *Peloponneſus*, than in *Attica*, which being more barren was leſs moleſted with theſe Per-mutations. Beſides theſe Inroads among themſelves, they were no leſs harraſſed on their Coaſts by the continned Invaſions of Pyrates, (an inſeparable Conſequence of Naval Superiority) who inhabited the Iſlands, and the Continent of *Aſia* bordering upon the Sea; which made them in thoſe early Times not venture to live near the Sea. Thus they were in a State of almoſt perpetual War both Abroad and at Home: It is very obſervable how theſe Accounts correſpond with our firſt Diſcoveries in *America*; and thus it continued in *Greece*, till *Minos* King of *Crete* (now

(now *Candia*) with his Fleet deſtroyed all the Pyrates, and ſet up ſeveral Governments, making his Sons, Princes. When the Seas were thus cleared, they became free for Trade, which induced the People to live upon the Coaſts of *Greece*, and to apply themſelves to the Art of Navigation, tho' *Lycurgus* prohibited Trade, as tending to foment Luxury, which was contrary to that Severity of Manners, and Parſimony of Living which he introduced; and tho' that Auſtere Method did not contribute to extend their Conqueſts, it gave them a long Duration within their own Bounds. Concerning the particular Governments of *Greece*, ſome were free and Independent on any other, and many aroſe from Colonies: As for the Foundation of *Sparta* or *Lacedæmon*, the Chronologers run it up ſo far back into the fabulous Age, that we cannot depend upon any Thing certain either from *Pauſanias*, or *Stephanus* in his Treatiſe *De Urbibus*, who place the building of it above 1700 Years before the Birth of *Chriſt*, which was coeval with the Time when *Jacob* ſent his ten Sons to buy Corn in *Ægypt*. From thence till the Reign of *Menelaus* all Things lye in Obſcurity; he was King of *Lacedæmonia*, and his Story too well known to be mentioned; his Son-in-law *Oreſtes* having married *Hermione*, became King of *Mycenæ* and *Sparta*, this was ſoon after the taking of *Troy*, from which *Æra*, the Computation of the *Grecian* Hiſtory begins to acquire ſome Degree of Certainty, and this was about the latter Part of the Age, when the Judges governed in *Iſrael*, about

1200

1200 Years before *Chriſt*. When the Line of *Oreſtes* failed the *Heraclidæ*, (or Deſcendants of *Hercules*) governed *Lacedæmon*, *Mycenæ* and *Corinth*; there were ſeveral Branches of them, but the Kingdom *Sparta* was in them, when *Lycurgus* gave them the Laws he brought from *Crete*, or framed himſelf for them. He was Cotemporary with *Homer*, and lived about 900 Years before *Chriſt*. *Ariſtotle* at the latter End of the Tenth Book of his *Ethics*, ſpeaking of the Force and Efficacy of Laws, draws an Argument from the Example of the *Lacedæmonians*, whoſe Legiſlature had put the Education and Diſcipline of their Youth under the Direction of Publick Laws; and as they excelled their neighbouring Governments in this Reſpect, ſo both *Ariſtotle* and *Xenophon* aſſign this as the Cauſe of that Superiority, which *Sparta* maintained over the other Cities of *Greece*, who being negligent in this important Point, a Diſſolution of Morals and Virtue was a Conſequence that neceſſarily followed it. There are Inſtances among them of proceeding to Judgment and Execution againſt State Criminals without tying themſelves down to the common Forms of their Courts of Judicature. When the Danger was great and imminent, they did not uſe the Formality of an Accuſation, and a legal Trial, but to prevent worſe Conſequences proceeded in a ſummary Way. This was an *Attainder* among them, and *Ageſilaus* gave a Precedent of it, when, as *Plutarch* recites the Caſe; the City being beſieged by the *Thebans* under their wiſe and valiant General *Epaminondas*,

Information

Information was given that ſome *Spartan* Citizens were met together in the Night on a treaſonable Deſign; whereupon *Ageſilaus*, by the Advice and Authority of the *Senate* and *Ephori*, ſeized them upon the Spot, and immediately cauſed them to be put to Death, without any open Proceſs, or Trial. Upon this *Valerius Maximus* obſerves in his ſeventh Book, that it was a very prudent Action in *Ageſilaus*, in ſuſpending upon that Occaſion the Laws of *Lycurgus*, which ſtrictly forbid the Puniſhment of uncondemned Perſons: *Comprehenſis autem & interfectos ſontibus eaſdem Lege sè veſtigio reſtituit; atque utrumq; ſimul providit, ne ſalutaris Animadverſio, vel injuſta eſſet, vel jure impediretur: Itaq; ut ſemper eſſe poſſent, aliquando non fuerunt.* That is, having apprehended the Guilty, and put them to Death, he preſently reſtored the Laws again.

Old Mr. *Henry Nevil*, whom you know they call *Plato* at the *Grecian* Coffee-Houſe*, from his being Author of an excellent Treatiſe, intitled *Plato Redivivus*, or a *Dialogue* concerning *Government*: *Anno* 1681, wherein by Obſervations drawn from other Kingdoms and States, both Antient and Modern, an Endeavour is uſed to diſcover the preſent Politick Diſtemper of our own, with the Cauſes and Remedies. This wiſe and experienced Gentleman ſays, *p.* 248.

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* In *Devereux*-Court without *Temple-Bar* is a Coffee Houſe ſo called, from its being originally kept by Mr. *George Conſtantine* a Greek.

" I have ever thought that the *Ephori* of *Sparta* " were an admirable *Magiſtracy*, not only for " the Intereſt of the *People*, but likewiſe of the " Authority of the *Kings*, and of their Lives too: " For *Plutarch* obſerves, that the City of *Mycenæ* " and *Argos* had the Government with *Lacedæ-* " *mon*, and yet for Want of erecting ſuch an " Authority as was in the *Spartan-Ephori*, they " were in perpetual Broils among themſelves; " and for that Reaſon were ever beaten by their " Enemies; whereas the *Spartans* were always " Victorious: And at laſt in both thoſe Cities " the *Kings* were driven out, their Families ex- " tirpated, and the Government turned to a " *Democracy*. " We may ſee from this, that *Theopompus* ſhewed a great Penetration into Futurity, as well as Moderation with Regard to his own perſonal Power. When he inſtituted the *Ephori*, they told him he had leſſened the Grandeur of his Children: He replied, he ſhould indeed leave it leſs, but more laſting. *Optimè quidam*, ſays the *Roman* Author, *ea enim demum tuta potentia, quæ viribus ſuis modum imponit.*

THE END.

AN

ARGUMENT

SHEWING

That a *Standing Army* is inconſiſtent with *a Free Government*, and abſolutely deſtructive to the CONSTITUTION of the *Engliſh* MONARCHY.

Printed in the Year 1697.

ARGUMENT

SPEWING

DEDICATION

To all thoſe * whom it may Concern.

Qui capit, ille facit.

WHEN I conſider your great Zeal for your Country, how much you have expoſed your ſelves for its Service, and how little you have improved your own Fortunes, I think it is but Juſtice to your Merits to make your Encomiums the Preface to the following Diſcourſe. It is you that have abated the Pride, and reduced the Luxury of the Kingdom: You have been the Phyſicians and Divines of the Common-wealth, by purging it of that Droſs

* i. e. *Courtiers.*

and

and Dung, which corrupt the Minds, and deſtroy the Souls of Men. You have convinced us, that there is no Safety in Counſellors, nor Truſt to be put in Ships under your Conduct.

You have cleared the Seas, not of *Pyrates*, but of our own *Merchants*, and by that Means have made our Priſons as ſo many Store-Houſes to repleniſh your Troops. In fine, to uſe the Expreſſion of the *Pſalmiſt*, *Your Hearts are unſearchable for* Wiſdom, *and there is no finding out your* Underſtanding. When I conſider all this, and compare your Merits with your Preferments, how you came by them, and your Behaviour in them, I cannot but think a ſtanding Army a collateral Security of your Title to them, and therefore muſt commend your Policy in promoting it. For by theſe *Kings* Reign, and *Princes* decree Juſtice. Theſe will be our Magiſtrates, who will not bear the Sword in vain. Theſe like the Sons of *Aaron*, will wear their *Urim* and *Thummim* on their Backs and Breaſts, and will be our Prieſts, who will hew the Sinners to Pieces, as *Samuel*

muel did *Agag* before the Lord in *Gilgal*. By theſe you will be able to teach us Paſſive Obedience, as Men having Authority, and not as the Scribes. You will have your Reaſons in your Hands, againſt reſiſting the Higher Powers, and will prove your *Jus Divinum* by the Sword of the Lord, and of *Gideon*.

Your Honours moſt

obedient Slave and Vaſſal,

A. B. C. D. E. F. G.

AN ARGUMENT AGAINST A Standing Army, &c.

WHen I conſider what a diſmal Scene of Blood and Deſolation hath appeared upon the Theatre of *Europe* during the Growth and Progreſs of the *French* Power, I cannot ſufficiently applaud and admire our thrice happy Situation, by which we have long enjoyed an uninterrupted Courſe of Peace and Proſperity, whilſt our neighbouring Nations have been miſerably haraſſed by perpetual War: For lying open to continual Invaſion, they can never enjoy Quiet and Security, nor take a ſound Sleep, but *Hercules* like with Clubs in their Hands. So that theſe

theſe *Halcyon* Days which we enjoy amidſt ſuch a univerſal Hurricane, muſt be ſolely attributed to our Tutelar God *Neptune*, who with a Guard of winged Courſers ſo ſtrongly intrenches us, that we may be ſaid to be *mediâ inſuperabiles undâ*, and not unfitly compared to the Earth, which ſtands fixed and immovable, and never to be ſhaken but by an internal Convulſion. And as Nature has been thus liberal to us in our Situation, ſo the Luxuriancy of our Soil makes it productive of numerous Commodities for Trade and Commerce: And as this Trade renders us Maſters of the Silver and Gold of the Eaſt and Weſt without our toiling in the Mine, ſo it breeds us Multitudes of able-bodied and skilful Seamen to defend the Treaſures they bring home; that even Luxury itſelf, which has been the Bane and Deſtruction of moſt Countries where it has been predominant, may in ſome Meaſures be eſteemed our Preſervation, by breeding up a Race of Men amongſt us, whoſe Manner of Life will never ſuffer them to be debauched or enervated with Eaſe or Idleneſs. But we have one Thing more to boaſt of beſides all theſe Felicities, and that is, of being Freemen, and not Slaves in this unhappy Age, when a univerſal Deluge of Tyranny has overſpread the Face of the whole Earth; ſo that this is the *Ark* out of which if the *Dove* be ſent forth, ſhe will find no reſting-place till her Return.

Our Conſtitution is a limited mixed Monarchy, where the King enjoys all the Prero-

gatives neceſſary to the Support of his Dignity and Protection of his People, and is only abridged from the Power of injuring his own Subjects: In ſhort, the Man is looſe, and the Beaſt only bound; and our Government may be truly called an Empire of Laws, and not of Men; for every Man has the ſame Right to what he can acquire by his Labour and Induſtry, as the King hath to his Crown, and the meaneſt Subject hath his Remedy againſt him in his Courts at *Weſtminiſter*: No Man can be impriſoned, unleſs he has tranſgreſſed a Law of his own making, nor be tried but by his own Neighbours. So that we enjoy a Liberty ſcarce known to the Antient *Greeks* and *Romans*.

And leſt the extraordinary Power intruſted in the Crown ſhould lean towards Arbitrary Government, or the tumultuary Licentiouſneſs of the People ſhould incline towards a Democracy, the Wiſdom of our Anceſtors hath inſtituted a middle State, *viz.* of Nobility, whoſe Intereſt it is to trim this Boat of our Common-wealth, and to skreen the People againſt the Inſults of the Prince, and the Prince againſt the Popularity of the Commons; ſince if either Extreme prevail ſo far as to oppreſs the other, they are ſure to be overwhelmed in their Ruin. And the meeting of theſe Three States in Parliament is what we call our Government: for without all their Conſents no Law can be made, nor a Penny of Money levied upon the Subject; ſo that the King's Neceſſities do often oblige him to ſummon this Court, which is the Grand Inqueſt

queſt of the Kingdom, where the People ſpeak boldly their Grievances, and call to Account overgrown Criminals, who are above the reach of ordinary Juſtice: ſo that the Excellence of this Government conſiſts in the due Balance of the ſeveral conſtituent Parts of it; for if any *one* of them ſhould be too hard for the other *two*, there is an actual Diſſolution of the Conſtitution; but whilſt we continue in our preſent Condition, we may without Vanity reckon our ſelves the happieſt People in the World.

But as there is no Degree of human Happineſs that is not accompanied with ſome Defects, and the ſtrongeſt Conſtitutions are moſt liable to certain Diſeaſes; ſo the very Excellence of our Government betrays it to ſome Inconveniencies, the Wheels and Motions of it being ſo curious and delicate that it is often out of Order, and therefore we ought to apply our utmoſt Endeavours to rectify and preſerve it: and I am afraid it is more owing to the Accident of our Situation, than to our own Wiſdom, Integrity or Courage, that it has yet a Being, when we ſee moſt Nations in *Europe* over-run with Oppreſſion and Slavery, where the Lives, Eſtates and Liberties of the People are ſubject to the lawleſs Fancy and Ambition of the Prince, and the Rapine and Inſolence of his Officers; where the Nobility, that were formerly the bold Aſſertors of their Country's Liberty, are now only the Enſigns and Ornaments of Tyranny, and the People Beaſts of Burden, and barely kept alive to ſupport

port the Luxury and Prodigality of their Maſters.

And if we enquire how theſe unhappy Nations have loſt that precious Jewel *Liberty*, and we as yet preſerv'd it, we ſhall find their Miſeries and our Happineſs proceed from this, That their Neceſſities or Indiſcretion have permitted a Standing Army to be kept amongſt them, and our Situation rather than our Prudence hath as yet defended us from it, otherwiſe we had long ſince loſt what is the moſt valuable Thing under Heaven; For, as I ſaid before, our Conſtitution depending upon a due Balance between King, Lords and Commons, and that Balance depending upon the mutual Occaſions and Neceſſities they have of one another; if this Cement be once broke, there is an actual Diſſolution of the Government. Now this Balance can never be preſerved but by a Union of the natural and artificial Strength of the Kingdom, that is, by making the Militia to conſiſt of the ſame Perſons as have the Property; or otherwiſe the Government is violent and againſt Nature, and cannot poſſibly continue, but the Conſtitution muſt either break the Army, or the Army will deſtroy the Conſtitution: for it is univerſally true, that wherever the Militia is, there is or will be the Government in a ſhort Time; and therefore the Inſtitutors of this *Gothick* Balance (which was eſtabliſhed in all Parts of *Europe*) made the Militia to conſiſt of the ſame Parts as the Government, where the King was General, the Lords, by Vertue of their

their Caſtles and Honours, the great Commanders, and the Freeholders by their Tenures the Body of the Army; ſo that it was next to impoſſible for an Army thus conſtituted to act to the Diſadvantage of the Conſtitution, unleſs we could ſuppoſe them to be *Felo's de ſe*. And here I will venture to aſſert, that upon no other Foundation than this can any Nation long preſerve its Freedom, unleſs ſome very particular Accidents contribute to it: and I hope I ſhall make it appear, that no Nation ever preſerved its Liberty, which maintained an Army otherwiſe conſtituted within the Seat of their Government: and let us flatter our ſelves as much as we pleaſe, what happened Yeſterday will come to paſs again, and the ſame Cauſes will produce like Effects in all Ages. And here I cannot avoid taking Notice of ſome Gentlemen, who a few Years ſince were the pretended Patriots of their Country, who had nothing in their Mouths but the ſacred Name of *Liberty*, who in the late Reigns could hardly afford the King the Prerogative that was due to him, and which was abſolutely neceſſary to put in Motion this Machine of our Government, and to make the Springs and Wheels of it act naturally, and perform their Function: I ſay, theſe Gentlemen, that could not with Patience hear of the King's ordinary Guards, can now diſcourſe familiarly of twenty thouſand Men to be maintained in Times of Peace; and the odious Excuſe they give for this infamous Apoſtacy is, That if they ſhould not gratify the Court in this modeſt

Requeſt, another Party would be careſſed, who will grant this, or any thing elſe which is asked, and then they ſay Matters will be much worſe: as if Arbitrary Government was a different thing in their Hands from what it is in Others, or that the Lineaments and Features of Tyranny would become graceful and lovely when they are its *Valets de Chambre*. But let them not deceive themſelves, for if they think to make their Court this way, they will quickly find themſelves out-flattered by the Party they fear, who have been long the Darlings of Arbitrary Power, and whoſe Principles as well as Practices teach them to be Enemies to all the legal Rights and juſt Liberties of their native Country; and ſo theſe wretched Bunglers will be made Uſe of only to bring together the Materials of Tyranny, and then muſt give Place to more expert Architects to finiſh the Building.

And tho' we are ſecure from any Attempts of this Kind during the Reign of a Prince, who hath reſcued us from a Captivity, equal to what *Moſes* redeemed the People of *Iſrael* from; A Prince whoſe Life is ſo neceſſary to the Preſervation of *Europe*, that both Proteſtant and Popiſh Princes have forgot their antient Maxims, and laid aſide their innate Animoſities, and made it their common Intereſt to chuſe him their Patron and Protector; A Prince in whom we know no Vices, but what have been eſteemed Virtues in Others, *viz.* his undeſerved Clemency to his Enemies, and his expoſing too much that Life upon which depends not only

our

our Safety, but the Liberties of all *Europe*, and the Proteſtant Religion through the World: I ſay, was this moſt excellent Prince to be immortal (as his Great and Glorious Actions) we ought in common Prudence to abandon all Thoughts of Self-preſervation, and wholly to rely on his Care and Conduct. But ſince no Virtue nor pitch of Glory will exempt him from paying the common Debt to Nature; and Death hath a Sythe which cuts off the moſt noble Lives; we ought not to intruſt any Power with him, which we do not think proper to be continued to his Succeſſors. And doubtleſs our great Benefactor will not regret this, or any Thing elſe that can reaſonably be demanded in order to compleat that Deliverance ſo far advanced by his invincible Courage and Conduct. For to ſet us, like *Moſes*, within View of the promiſed Land, with a *ne plus ultra*, is the greateſt of all human Infelicities; and ſuch I ſhall always take our Caſe to be, whilſt a Standing Army muſt be kept up to prey upon our Entrails, and which muſt in the Hands of an ill Prince (which we have the Misfortune frequently to meet with) infallibly deſtroy our Conſtitution. And this is ſo evident and important a Truth, that no Legiſlator ever founded a free Government, but avoided this *Charybdis*, as a Rock againſt which his Commonwealth muſt certainly be ſhipwracked, as the *Iſraelites*, *Athenians*, *Corinthians*, *Achaians*, *Lacedæmonians*, *Thebans*, *Samnites* and *Romans*; none of which Nations, whilſt they kept their Liberty,

Liberty were ever known to maintain any Soldier in conſtant Pay within their Cities, or ever ſuffered any of their Subjects to make War their Profeſſion; well knowing that the Sword and Sovereignty always march Hand in Hand; and therefore they trained their own Citizens, and the Territories about them, perpetually in Arms, and their whole Common-wealths by this Means became to many ſeveral formed Militia's: A general Exerciſe of the beſt of their People in the Uſe of Arms, was the only Bulwark of their Liberties; this was reckoned the ſureſt Way to preſerve them both at Home and Abroad, the People being ſecured thereby as well againſt the domeſtick Affronts of any of their own Citizens, as againſt the foreign Invaſions of ambitious and unruly Neighbours. Their Arms were never lodged in the Hands of any who had not an Intereſt in preſerving the Publick Peace, who fought *pro aris & focis*, and thought themſelves ſufficiently paid by repelling Invaders, that they might with Freedom return to their own Affairs. In thoſe Days there was no Difference between the Citizen, the Soldier, and the Husbandman; for all promiſcuouſly took Arms when the Publick Safety required it, and afterwards laid them down with more Alacrity than they took them up: So that we find among the *Romans*, the beſt and braveſt of their Generals came from the Plough, contentedly returning when the Work was over, and never demanding their Triumph till they had laid down their Commands, and reduced themſelves

to

to the State of private Men. Nor do we find that this famous Common-wealth ever permitted a Depoſition of their Arms in any other Hands, till their Empire increaſing, Neceſſity conſtrained them to erect a conſtant ſtipendiary Soldiery abroad in foreign Parts, either for the holding or winning of Provinces. Then Luxury increaſing with Dominion, the ſtrict Rule and Diſcipline of Freedom ſoon abated, and Forces were kept up at home, which ſoon proved of ſuch dangerous Conſequence, that the People were forced to make a Law to employ them at a convenient Diſtance; which was, that if any General marched over the River *Rubicon*, he ſhould be declared a publick Enemy: And in the Paſſage of that River this following Inſcription was erected; *Imperator ſive miles, ſive Tyrannus armatus quiſquis ſiſtito, vexillum armaq; deponito, nec citra hunc amnem trajicito.* And this made *Cæſar*, when he had preſumed to paſs this River, to think of nothing but preſſing on to the Total Oppreſſion of that glorious Empire.

Nor, as I ſaid before, did any Nation deviate from theſe Rules but they loſt their Liberty; and of this Kind there are infinite Examples, out of which I ſhall give a few in ſeveral Ages, which are moſt known, and occur to every one's reading.

The firſt Example I ſhall produce is of *Piſiſtratus*, who artfully prevailing with the *Athenians* to allow him fifty Guards for the Defence of his Perſon, he ſo improved that Number, that he ſeized

ſeized upon the Caſtle and Government, deſtroyed the Common-wealth, and made himſelf Tyrant of *Athens*.

The *Corinthians* being in Apprehenſion of their Enemies, made a Decree for four hundred Men to be kept to defend their City, and gave *Tymophanes* the Command over them, who overturned their Government, cut off all the principal Citizens, and proclaimed himſelf King of *Corinth*.

Agathocles being Captain-General of the *Syracuſians*, got ſuch an Intereſt in the Army, that he cut all the Senators to Pieces, and the Richeſt of the People, and made himſelf their King.

The *Romans* for fear of the *Teutones* and *Cimbri*, who like vaſt Inundations threatned their Empire, choſe *Marius* their General; and contrary to the Conſtitution of their Government, continued him five Years in his Command, which gave him ſuch Opportunity to inſinuate, and gain an Intereſt in their Army, that he oppreſt their Liberty: And to this were owing all the Miſeries, Maſſacres and Ruins which that City ſuffered under him and *Sylla*, who made the beſt Blood in the World run like Water in the Streets of *Rome*, and turned the whole City into a Shambles of the Nobility, Gentry and People.

The ſame thing enabled *Cæſar* totally to overthrow that famous Common-wealth; for the Prolongation of his Commiſſion in *Gaul*, gave him an Opportunity to debauch his Army,

and

and then upon a pretended diſguſt he marched to *Rome*, drove out the Senators, ſeized the Treaſury, fought their Forces, and made himſelf perpetual Dictator.

Olivarott di Fermo deſired Leave of his Fellow-Citizens, that he might be admitted into their Town with a hundred Horſe of his Companions; which being granted, he put to the Sword all their principal Citizens, and proclaimed himſelf their Prince.

Francis Sforza being General of the *Milaneſe*, uſurped upon them, and made himſelf Duke of *Milan*.

After *Chriſtiern* the Second King of *Denmark* had conquered *Sweden*, he invited all the Senators and Nobility to a magnificent Entertainment, where after he had treated them highly for two Days, he moſt barbarouſly butchered them. None eſcaped this Maſſacre but the brave *Guſtavus Ericſon*, who was then a Priſoner; but he afterwards eſcaping through a thouſand Difficulties, by his good Fortune, Courage and Conduct, drove the *Danes* out of *Sweden*, and reſtored the *Swedes* to their ancient Kingdom. Nothing then was thought too great for their generous Deliverer, every Mouth was full of his Praiſes, and by the univerſal Voice of the People he was choſen their King. And to conſummate the laſt Teſtimony of their Gratitude, they truſted him with an Army; but they ſoon found their Miſtake, for it coſt them their Liberty; and having granted that *unum magnum*, it was too late to diſpute any

Thing

thing elſe: His Succeſſors having been pleaſed to take all the reſt, and now they remain the miſerable Examples of too credulous Generoſity.

The Story of *Denmark* is ſo generally known, and ſo well related by a late excellent Author, * that it would be Impertinence in me to repeat it; only this I will obſerve, that if the King had not had an Army at his Command, the Nobles had never delivered up their Government.

Our Country-man *Oliver Cromwel* turned out that Parliament under which he ſerved, and who had got immortal Honour through the whole World by their great Actions; and this he effected by the Aſſiſtance of an Army, which muſt be allowed to have had as much Virtue, Sobriety, and publick Spirit, as hath been known in the World ſince, amongſt that Sort of Men.

The laſt Inſtance I ſhall give, is of a *French* Colony, as I remember, in the *Weſt-Indies* who having War with the neighbouring *Indians*, and being tired in their March with the Extremity of Heat, made their Slaves carry their Arms; who taking that Opportunity, fell upon them and cut them to Pieces, a juſt Puniſhment for their Folly. And this will always be the Fate of thoſe that truſt their Arms out of their Hands; for it is a ridiculous Imagination to conceive Men will be Servants, when they can be Maſters. And as Mr. *Har-*

* The Lord *Moleſworth.*

rington

rington judiciouſly obſerves,* Whatever Nation ſuffers their Servants to carry their Arms, their Servants will make them hold their Trenchers.

Some People object, that the Republicks of *Venice* and *Holland* are Inſtances to diſprove my Aſſertion, who both keep great Armies, and yet have not loſt their Liberty.

I anſwer, That neither keep any ſtanding Forces within the Seats of their Government, that is, within the City of *Venice*, or the great Towns of the *United Provinces*; but they defend theſe by their own Burghers, and quarter their Mercenaries in their conquered Countries, *viz.* the *Venetians* in *Greece* and the Continent of *Italy*, and the *Dutch* in *Brabant* and *Flanders*. And the Situation of theſe States makes their Armies, ſo poſted, not dangerous to them; for the *Venetians* cannot be attacked without a Fleet, nor the *Dutch* be ever conquered by their own Forces, their Country being ſo full of ſtrong Towns, fortified both by Art and Nature, and defended by their own Citizens, that it would be a fruitleſs Attempt for their own Armies to invade them; for if they ſhould march againſt any of their Cities, it is but ſhutting up their Gates, and the Deſign is ſpoiled.

But if we admit that any Army might be conſiſtent with Freedom in a Common-wealth, yet it is otherwiſe in a free Monarchy: for in

* See, *Oceana*.

the

the former it is wholly in the Diſpoſal of the People, who nominate, appoint diſcard, and puniſh the Generals and Officers as they think fit, and it is certain Death to make any Attempt upon their Liberties; whereas in the latter, the King is perpetual General, may model the Army as he pleaſes, and it will be called High-Treaſon to oppoſe it.

And tho' ſome Princes, as the Family of the *Medices*, *Lewis* the Eleventh, and Others, laid the Foundation of their Tyrannies without the immediate Aſſiſtance of an Army, yet they all found an Army neceſſary to eſtabliſh them; or otherwiſe a little Experience in the People of the Change of their Condition, would have made them diſgorge in a Day that ill-gotten Power they had been acquiring for an Age.

This Subject is ſo ſelf-evident, that I am almoſt aſhamed to prove it: For if we look through the World, we ſhall find in no Country, Liberty and an Army ſtand together; ſo that to know whether a People are free or Slaves, it is neceſſary only to ask, Whether there is an Army kept amongſt them; and the Solution of that preliminary Queſtion reſolves the Doubt: As we ſee in *China*, *India*, *Tartary*, *Perſia*, *Ethiopia*, *Turkey*, *Morrocco*, *Muſcovy*, *Auſtria*, *France*, *Portugal*, *Denmark*, *Sweden*, *Tuſcany*, and all the little Principalities of *Germany* and *Italy*, where the People live in the moſt abandoned Slavery; and in Countries where no Armies are kept within the Seat of their Government, the People are free, as *Poland*, *Biſcay*, *Switzerland*, the *Griſons*, *Venice*,

nice, *Holland*, *Genoa*, *Geneva*, *Raguſa*, *Algiers*, *Tunis*, *Hamborough*, *Lubeck*; all the free Towns in *Germany*, and *England* and *Scotland*, before the late Reigns. This Truth is ſo obvious that the moſt bare-faced Advocates for an Army do not directly deny it, but qualify the Matter by telling us, that a Number not exceeding 15 or 20,000 Men, are a Handful to ſo populous a Nation as this. Now I think that Number will bring as certain Ruin upon us as if they were as many Millions, and I will give my Reaſons for it.

It is the Misfortune of all Countries, that they ſometimes lie under an unhappy Neceſſity to defend themſelves by Arms againſt the Ambition of their Governours, and to fight for what's their own; for if a Prince will Rule us with a Rod of Iron, and invade our Laws and Liberties, and neither be prevailed upon by our Miſeries, Supplications or Tears, we have no Power upon Earth to appeal to, and therefore muſt patiently ſubmit to our Bondage, or ſtand upon our own Defence; which if we are enabled to do, we ſhall never be put upon it, but our Swords may grow ruſty in our Hands: For that Nation is ſureſt to live in Peace, that is moſt capable of making War, and a Man that hath a Sword by his Side, ſhall have leaſt Occaſion to make Uſe of it. Now I ſay, if the King hath twenty thouſand Men before-hand with us, or much leſs than half that Number, the People can make no Effort to defend their Liberties without the Aſſiſtance of a foreign Power, which is a Remedy moſt com-

monly as bad as the Diſeaſe; and if we have not a Power within our ſelves to defend our Laws, we are no Government.

For *England* being a ſmall Country, few ſtrong Towns in it, and thoſe in the King's Hands, the Nobility diſarmed by the Deſtruction of Tenures, and the Militia not to be raiſed but by the King's Command, there can be no Force levied in any Part of *England*, but muſt be deſtroyed in its Infancy by a few Regiments: For what will three or four thouſand naked unarmed Men ſignify againſt as many Troops of mercenary Soldiers? What if they ſhould come into the Field, and ſay you muſt chuſe theſe and theſe Men your Repreſentatives, where is your Choice? What if they ſhould ſay, Parliaments are ſeditious and factious Aſſemblies, and therefore ought to be aboliſhed; what is become of your Freedom? Or if they ſhould encompaſs the Parliament-Houſe, and threaten if they do not ſurrender up their Government, they will put them to the Sword; what is become of the old *Engliſh* Conſtitution? Theſe Things may be, and have been done in ſeveral Parts of the World. What is it that cauſes the Tyranny of the *Turks* at this Day, but Servants in Arms? what is it that preſerved the glorious Common-wealth of *Rome*, but Swords in the Hands of its Citizens?

And if beſides this, we conſider the great Prerogatives of the Crown, and the vaſt Intereſt the King has and may acquire by the Diſtribution of ſo many profitable Offices of the Houſhold, of the Revenue, of State, of Law, of Religion, and the

the Navy, together with the Aſſiſtance of a powerful Party, who have been always the faſt and conſtant Friends to Arbitrary Power, whoſe only Quarrel to his preſent Majeſty is, that he has knocked off the Chains and Fetters they thought they had locked faſt upon us; a Party who hath once engaged us in an unhappy Quarrel amongſt our ſelves (the Conſequence of which I dread to name) and ſince in a tedious and chargeable War, at the vaſt Expence of Blood and Treaſure, to avoid that Captivity they had prepared for us: I ſay, if any one conſiders this, he will be convinced we have enough to do to guard our ſelves againſt the Power of the Court, without having an Army thrown into the Scale againſt us. And we have found oftner than once by too fatal Experience the Truth of this; for if we look back to the late Reigns, we ſhall ſee this Nation brought to the Brink of Deſtruction, and breathing out the laſt Gaſp of their Liberty; and it is more owing to our good Fortune, than to any Effort we were able to make, that we eſcaped the fatal Blow.

And I believe no Man will deny, but if King *Charles* the Firſt had had five thouſand Men before-hand with us, the People had never ſtruck a Stroke for their Liberties; or if the late King *James* would have been contented with Arbitrary Power without bringing in Popery, but he and his *black Guard* would have bound us Hand and Foot before this Time: But when their ill-contrived Oppreſſion came Home to their own Doors, they quickly ſhewed the World how dif-

ferent a Thing it was to ſuffer themſelves, and to make other People ſuffer, and ſo we came by our Deliverance. And tho' the late King had the Nobility, Gentry, Clergy, People, and his own Army againſt him, and we had a very wiſe and couragious Prince nearly related to the Crown, and backed by a powerful State, for our Protector, yet we account this Revolution next to a Miracle.

I will add here, that moſt of the Nations I inſtanced before were enſlaved by ſmall Armies: *Oliver Cromwel* left behind him but 27,000 Men, and the Duke of *Monmouth*, who was the Darling of the People was ſuppreſſed with two thouſand; nay, *Cæſar* ſeized *Rome* it ſelf with five thouſand, and fought the Battle of *Pharſalia*, where the Fate of the World was decided, with twenty two thouſand: And moſt of the Revolutions of the *Roman* and *Ottoman* Empires ſince, were cauſed by the *Pretorian Bands* and the *Court Janezaries*, the former of which never exceeded eight, nor the latter twelve thouſand Men. And if no greater Numbers could make ſuch Diſturbances in thoſe vaſt Empires, what will double Force do with us? And they themſelves confeſs it, when they argue for an Army; for they tell us we may be ſurprized with ten or fifteen thouſand Men from *France*, and having no regular Force to oppoſe them, they will over-run the Kingdom. Now if ſo ſmall a Force can oppoſe the King, the Militia, with the united Power of the Nobility, Gentry and Commons, what will an equal Power do againſt the People, when ſupported by the Royal

Royal Authority, and a never-failing Intereſt that will attend it, except when it acts for the Publick Good?

But we are told, this Army is not deſigned to be made a Part of our Conſtitution, but to be kept only for a little Time, till the Circumſtances of *Europe* will better permit us to be without them: But I would know of theſe Gentlemen, when they think that Time will be? Will it be during the Life of King *James*, or after his Death? Shall we have leſs to fear from the Youth and Vigour of the pretended Prince of *Wales*, than now from an unhappy Man ſinking under the Load of Age and Misfortunes? Or will *France* be more capable of offending us juſt after this tedious and conſumptive War, than hereafter when it has had a breathing Time to repair the Calamities it has ſuffered by it? No: We can never disband our Army with ſo much Safety as at this Time; and this is well known by theſe Conſpirators againſt their Country, who are ſatisfied that a Continuation of them now, is an Eſtabliſhment of them for ever; For whilſt the Circumſtances of *Europe* ſtand in the preſent Poſture, the Argument will be equal to continue them? If the State of *Europe* ſhould alter to the Advantage of *France*, the Reaſon will grow ſtronger, and we ſhall be told we muſt increaſe our Number. But if there ſhould be ſuch a Turn of Affairs in the World, that we were no longer in Apprehenſion of the *French* Power, they may be kept up without our Aſſiſtance; nay, the very Diſcontents they may creat ſhall be made an Argument for the

continuing them. But if they ſhould be kept from oppreſſing the People, in a little Time they will grow habitual to us, and almoſt become a Part of our Conſtitution, and by Degrees we ſhall be brought to believe them, not only, not dangerous, but neceſſary: For every Body ſees, but few underſtand; and thoſe few will never be able to perſuade the Multitude that there is any Danger in thoſe Men they have lived quietly with for ſome Years, eſpecially when the disbanding them will (as they will be made believe) coſt them more Money out of their own Pockets than to maintain a Militia; and of this we have already an unhappy Experience. For King *Charles* the *Second* being connived at, in keeping a few Guards, (which were the firſt ever known to an *Engliſh* King beſides his Penſioners, and his Beef-eaters) he inſenſibly increaſed their Number, till he left a Body of Men to his Succeſſor great enough to tell the Parliament, he would be no longer bound by the Laws he had ſworn to; and under the Shelter and Protection of theſe he raiſed an Army, that had put a Period to our Government, if a Complication of Cauſes (which may never happen again) had not preſented the Prince of *Orange* with a Conjuncture to aſſert his own and the Nation's Rights. And tho' we have ſo lately eſcaped this Precipice, yet Habit has made Soldiers ſo familiar to us, that ſome who pretend to be zealous for Liberty, ſpeak of it as a Hardſhip to his preſent Majeſty, to refuſe him as many Men as his Predeceſſors, not conſidering that the raiſing them then was a Violation of our

Laws;

Laws; and that his Government is built upon the Deſtruction of theirs; and can no more ſtand upon the ſame Rubbiſh, than the Kingdom of Heaven be founded in Unrighteouſneſs.

But the Conſpirators ſay, we need be in no Apprehenſions of Slavery, whilſt we keep the Power of the Purſe in our own Hands: Which is very true, but they do not tell us that he has the Power of raiſing Money, to whom no one dares refuſe it.

——Arma tenenti
Omnia dat qui juſta negat.

For it is as certain that an Army will raiſe Money, as that Money will raiſe an Army; but if this Courſe ſhould be thought too deſperate, it is only ſhutting up the Exchequer, and diſobliging a few Tally-Jobbers (who have bought them for fifty *per Cent.* diſcompt) and there will be near three Milions a Year ready cut and dryed for them: And whoever doubts whether ſuch a Method as this is practicable, let him look back to the Reign of *Charles* the Second, and I am afraid the Officers of the Exchequer have not much Reaſon to value themſelves for their Payments in this Reign: At leaſt the Purchaſers of the Annuities are of that Opinion, and would be apt to entertain ſome unſeaſonable Suſpicions, if they had not greater Security from his Majeſty's Virtue, than the Juſtice of ſuch Miniſters. But if we could ſuppoſe (whatever is the Fate of other Countries) that our Courtiers deſign nothing

but the Publick Good, yet we ought not to hazard ſuch unuſual Virtue, by leading it into Temptation, which is Part of our daily Duty to pray againſt. But I am afraid we do not live in an Age of Miracles, eſpecially of that Sort; our Heroes are made of a coarſer Alloy, and have too much Droſs mixed with their Conſtitutions for ſuch refined Principles: For in the little Experience I have had in the World, I have obſerved moſt Men to do as much Miſchief as lay in their Power, and therefore am for dealing with them as we do with Children and Mad-men, that is, take away all Weapons by which they may do either themſelves or others an Injury: And I think the Sheep in *Boccalini* made a prudent Addreſs to *Apollo*, when they deſired, that for the future Wolves might have no Teeth.

When all other Arguments fail, they call to their Aſſiſtance the old Tyrant Neceſſity, and tell us the Power of *France* is ſo great, that let the Conſequence of an Army be what it will, we cannot be without one; and if we muſt be Slaves, we had better be ſo to a Proteſtant Prince than a Popiſh one, and the worſt of all Popiſh ones, the *French* King. Now I am of Mr. *Johnſon*'s Opinion, that the putting an Epithet upon Tyranny is falſe Heraldry; for Proteſtant and Popiſh are both alike; and if I muſt be a Slave, it is very indifferent to me who is my Maſter; and therefore I ſhall never conſent to be ruled by an Army, which is the worſt that the moſt barbarous Conqueſt can impoſe upon me; which notwithſtanding we have little Reaſon to fear, whilſt we keep the Seas well guarded. It

It is certain there is no Country ſo ſituated for Naval Power as *England*. The Sea is our Element, our Seamen have as much hardy Bravery, and our Ships are as numerous, and built of as good Materials as any in the World: Such a Force well applyed and managed is able to give Laws to the Univerſe; and if we keep a competent Part of it well armed in Times of Peace, it is the moſt ridiculous Thing in Nature to believe any Prince will have Thoughts of invading us, unleſs he propoſes to be ſuperiour to us in Naval Power: For the Preparations neceſſary for ſuch an Undertaking will alarm all *Europe*, give both to us and our Confederates Time to arm, and put our ſelves in a Poſture of Defence. And whoever conſiders that the Prince of *Orange* with ſix hundred Ships brought but fourteen thouſand Men, and the mighty *Spaniſh Armado*, (then the Terror of the World) imbarked but eighteen thouſand, will be aſſured that no Invaſion can be ſo ſudden upon us, but we ſhall have Time to get ready our whole Fleet, bring ſome Forces from *Holland* and *Ireland*, and prepare our own Militia if there ſhould be Occaſion for it; eſpecially in Times of Peace, when we ſhall have the Liberty of all the Ports of *France*, and ſhall or may have Intelligence from every one of them.

But they tell us ſuch a Wind may happen as may be favourable to our own Enemy and keep us within our Ports; which I ſay, as *France* lies to *England*, is almoſt impoſſible: For if we lie about *Falmouth*, or the *Land's End*, no Fleet from *Breſt* or the Ocean can eſcape us without a Miracle;

Miracle; and if the Deſign be to invade us from any Port in the Channel, a very few Ships (which may ſafely lie at Anchor) will certainly prevent it. Nor is it to be conceived that That cautious Prince will be at a vaſt Expence for the Contingency of ſuch a critical Wind, or will ſend an Army into a Country where their Retreat is certainly cut off, when the failing in any Part of his Deſign will bring a new War upon upon him, which lately coſt a third Part of his People, a great many large Countries and ſtrong Towns, with all the Honour he had heaped up by his former Victories, to get rid of.

And here I muſt confeſs, that the Miſapplication of our Naval Force (which is our known Strength) for theſe laſt eight Years, is the ſtrongeſt, as it is the moſt uſual Argument againſt me: Which unriddles a Myſtery I did not underſtand before, tho' I never was ſo fooliſh as to believe all the Errors of that Kind were the Effects of Chance or Ignorance; or that loſing ſo many Opportunities of deſtroying the *French* Fleet, had not ſome Extraordinary, tho' Occult Cauſe; and yet notwithſtanding the reſtleſs Attempts of our Enemies, and the paltry Politicks of our own wretched Stateſmen, this Fleet triumphantly defended us, ſo that our Enemies in eight Years War could not get one Opportunity of invading our Country.

It is objected, that the Officers of our Fleet may be corrupted, or that a Storm may ariſe which may deſtroy it all at once, and therefore we ought to have two Strings to our Bow.

By

By which I perceive all their Fears lie one way, and that they do not care if they precipitate us into inevitable Ruin at home, to prevent a diſtant Poſſibility of it from *France*. But I think this Phantom too may be laid by a well trained Militia, and then all their Bugbears will vaniſh. This Word can be no ſooner out, but there is a Volley of ſmall Shot let fly at me: What! muſt we truſt our Safety to an undiſciplined Mob, who never dreamt of fighting when they undertook the Service; who are not inured to the Fatigue of a Camp, or ever ſaw the Face of an Enemy? And then they magnify mercenary Troops; as if there was an intrinſick Virtue in a red Coat, or that a Raggamuffin from robbing of Hen-Rooſts, in two Campaigns, could be cudgell'd into a Hero. Tho' I muſt confeſs the Conduct of the Court by induſtriouſly enervating this Force, do in ſome Meaſure juſtify their Objections: For the deteſtable Policies of the laſt Reigns were with the utmoſt Art and Application to diſarm the People, and make the Militia uſeleſs, to countenance a ſtanding Army in order to bring in Popery and Slavery; and if any Methods were propoſed to make it more ſerviceable, the Court would never ſuffer them to be debated; and ſuch Officers as were more zealous in exerciſing their Companies than others, were reprimanded, as deſigning to raiſe a Rebellion. And now the worthy Pariots of this Reign are taking Advantage of the traiterous Neglect and infamous Policies of the laſt. But why

may

may not a Militia be made uſeful? Why may not the Nobility, Gentry, and Freeholders of *England* be truſted with the Defence of their own Lives, Eſtates and Liberties, without having Guardians and Keepers aſſigned them? And why may they not defend them with as much Vigour and Courage as Mercenaries who have nothing to loſe, nor any other Tie to engage their Fidelity, than the inconſiderable Pay of Six-pence a Day, which they may have from the Conqueror?

Why may not the Laws for ſhooting in Croſs-bows be changed into Firelocks, and a competent Number of them be kept in every Pariſh for the young Men to exerciſe with on Holidays, and Rewards offered to the moſt expert, to ſtir up their Emulation?

Why may not the whole Militia of *England* be reduced to ſixty thouſand, and a third Part of thoſe kept by Turns in conſtant Exerciſe?

Why may not a Man be liſted in the Militia till he be diſcharged by his Maſter, as well as in the Army till he be diſcharged by his Captain? And why may not the ſame Horſe be always ſent forth, unleſs it can be made appear he is dead or maimed!

Why may not the private Soldiers of the Army, when they are diſperſed in the ſeveral Parts of the Kingdom, be ſent to the Militia? and why may not the inferiour Officers of the Army in ſome Proportion command them?

I ſay, theſe and other like Things may be done, and ſome of them are done in our own Plantations,

Plantations, and the Iſlands of *Jerſey* and *Guerneſey*, as alſo in *Poland*, *Switzerland*, and the Country of the *Griſons*; which are Nations much leſs conſiderable than *England*, have as formidable Neighbours, no Sea nor Fleet to defend them, nothing but a Militia to depend upon, and yet no one dares attack them. And we have ſeen as great Performances done formerly by the Apprentices of *London*, and in the late War by the *Vaudois* in *Savoy*, the *Miquelets* in *Catalonia*, and the Militia in *Ireland*, as can be paralleled in Hiſtory: And ſo it would be with us, if the Court will give their hearty Aſſiſtance in promoting this Deſign? if the King would appear in Perſon at the Head of them, and give Rewards and Honour to ſuch as deſerve them, we ſhould quickly ſee the young Nobility and Gentry appear magnificent in Arms and Equipage, ſhew a generous Emulation in out-vying one another in Military Exerciſes, and place a noble Ambition in making themſelves ſerviceable to their Country: as anciently the *Achaians* and *Thebans* from being the moſt contemptible Nations in *Greece*, by the Conduct of *Pelopidas*, *Epaminondas*, and *Philopemen*, came to have the beſt diſciplined Troops and moſt excellent Soldiers in the World.

They object, that ſuch a Militia as this is a Standing Army, and will be as dangerous and much more chargeable. I anſwer;

That there can be no Danger from an Army where the Nobility and Gentry of *England* are the

the Commanders, and the Body of it made up of the Freeholders, their Sons and Servants; unleſs we can conceive that the Nobility and Gentry will join in an unnatural Deſign to make void their own Titles to their Eſtates and Liberties: And if they could entertain ſo ridiculous a Propoſition, they would never be obeyed by the Soldiers, who will have a Reſpect to thoſe that ſend them forth and pay them, and to whom they muſt return again when their Times is expired. For if I ſend a Man, I will as ſurely chuſe one who ſhall fight for me, as a mercenary Officer will chuſe one that ſhall fight againſt me: And the late Governments are Witneſſes to the Truth of this, who debauched the Militia more than ever I hope to ſee it again; and yet durſt never rely upon them to aſſiſt their Arbitrary Deſigns; as we may remember in the Duke of *Monmouth*'s Invaſion, their Officers durſt not bring them near his Army for fear of a Revolt. Nay, the Penſioner-Parliament themſelves turned ſhort upon the Court, when they expected them to give the finiſhing Stroke to our Ruin.

To the laſt Part of the Objection, That this Militia will be more chargeable than an Army; I anſwer, That ſince (as I ſuppoſe) no Man propoſes wholly to lay them aſide, if we add the extraordinary Expence of maintaining twenty thouſand Men to the ordinary Charge of the Militia, it is much more than ſufficient to make the latter uſeful. But if this Objection were true, it ought not to enter into Competition with the Preſervation of our Laws and Liberties; for it is better

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to give a third Part of my Eſtate, if it were neceſſary, than to have all taken from me.

And tho' it ſhould be granted, that a Militia is not as ſerviceable as an Army kept to conſtant Diſcipline, yet I believe theſe Gentlemen themſelves will confeſs, that ſixty thouſand of them trained as before, are as good as twenty thouſand of their Standing Troops, which is the Queſtion; for it is impoſſible to have them both uſeful at the ſame Time, they being as incompatible as broad and clipt Money, never current together; and therefore the Court muſt depend wholly upon a Militia, or elſe they will not depend upon them at all. And this by the Way may ſilence that Objection, that we muſt keep our Army till the Militia be diſciplined; for that will never be done whilſt the Court has an Army: And the ſame Objection will be made ſeven Years hence as now; ſo that a ſmall Army can be of no Uſe to us, but to make our Fleet neglected, to hinder the Militia from being trained, and inſlave us at Home: For they are too few to defend us againſt an Invaſion, and too many for the People to oppoſe.

I dare ſpeak with the greater Aſſurance upon this Subject, having the Authority of as great Men as the World hath produced for my Juſtification. *Machiavel* ſpends ſeveral Chapters to prove, that no Prince or State ought to ſuffer any of their Subjects to make War their Profeſſion, and that no Nation can be ſecure with any other Forces than a ſettled Militia. My Lord *Bacon* in ſeveral Places bears his Teſtimony againſt

againſt a Standing Army, and particularly he tells us, that a mercenary Army is fitteſt to invade a Country, but a Militia to defend it; becauſe the firſt have Eſtates to get, and the latter to protect. Mr. *Harrington* has founded his whole *Oceana* upon a trained Militia; and I have lately read a *French* Book, called, the Hiſtory of the Politicks of *France*, which ſays, *Enfin ſi on veut ruiner les Anglois il ſuffit de les obliger a tenir des Troupes ſur pied* *. Nay, I believe no Author ever treated of a free Government, that did not expreſs his Abhorrence of an Army; (for as my Lord *Bacon* ſays, whoever does uſe them, tho' he may ſpread his Feathers for a Time, he will mew them ſoon after: And raiſe them with what Deſign you pleaſe, yet, like the *Weſt-Indian* Dogs in *Boccalini*, in a little Time they will certainly turn Sheep-biters.

Perhaps it will be ſaid, that the Artillery of the World is changed ſince ſome of theſe wrote, and War is become more a Myſtery, and therefore more Experience is neceſſary to make good Soldiers. But wherein does this Myſtery conſiſt? not in exerciſing a Company and obeying a few Words of Command; theſe are Myſteries that the dulleſt Noddle will comprehend in a few Weeks. Nay, I have heard that the Modern Exerciſe is much ſhorter and eaſier than the Ancient. But the great Improvements in War are

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* i. e. *To ruin the* Engliſh, *let them keep up a* Standing Army.

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in regular Encampments, Fortification, Gunnery, skilful Engineering, *&c.* Theſe are Arts not to be learned without much Labour and Experience, and are as much gained in the Cloſet as in the Field; and I ſuppoſe no Man will ſay, that the keeping Standing Forces is neceſſary to make a good Engineer.

As to actual Experience in War, that is not eſſential either to a Standing Army or a Militia, as ſuch; but the former may be without it, and the latter gain it according as they have Opportunities of Action. It is true at preſent the Army hath been trained up in a long War, and hath gained great Knowledge: but theſe Men will not be loſt when they are disbanded, they will be ſtill in *England*; and if the Parliament does give them a Gratuity ſuitable to the Service they have done their Country, they will be ready to reſume their Arms whenever Occaſion offers.

But I deſire to know of theſe Patriots, how comes an Army neceſſary to our Preſervation now, and never ſince the Conqueſt before? Did ever the prevailing Party in the Wars of *York* and *Lancaſter* attempt to keep up a Standing Army to ſupport themſelves? No: They had more Senſe than to ſacrifice their own Liberty, and more Honour than to inſlave their Country, the more eaſily to carry on their own Faction. Were not the *Spaniards* as powerful, as good Soldiers, and as much our Enemies, as the *French* are now? Was not *Flanders* as near us as *France*? and the Popiſh Intereſt in Queen *Elizabeth*'s Time as

ſtrong as the Jacobite is now? and yet that moſt excellent Princeſs never dreamt of a Standing Army, but thought her ſureſt Empire was to reign in the Hearts of her Subjects, which the following Story ſufficiently teſtifies. When the Duke of *Alanſon* came over to *England*, and for ſome Time had admired the Riches of the City, the Conduct of her Government, and the Magnificence of her Court, he asked her amidſt ſo much Splendour, where were her Guards? which Queſtion ſhe reſolved a few Days after when ſhe took him in her Coach thro' the City, and pointing to the People (who received her in Crouds with repeated Acclamations) Theſe, ſaid ſhe, my Lord, are my Guards; theſe have their Hands, their Hearts, and their Purſes always ready at my Command: And theſe were Guards indeed, who defended her thro' a long and ſucceſsful Reign of Forty four Years againſt all the Machinations of *Rome*, the Power of *Spain*, a diſputed Title, and the perpetual Conſpiracies of her own Popiſh Subjects; a Security the *Roman* Emperors could not boaſt of with their Pretorian Bands, and their *Eaſtern* and *Weſtern* Armies.

Were not the *French* as powerful in *Charles* the Second and King *James*'s Time, as they are after this long and deſtructive War, and a leſs Alliance to oppoſe them? and yet we then thought a much leſs Army than is now contended for, a moſt inſupportable Grievance; inſomuch that in King *Charles* the Second's Reign the Grand-Jury preſented them, and the Penſioner-Parliament voted them to be a Nuſance, ſent Sir *J. Williamſon*

amſon to the Tower, for ſaying the King might keep Guards for the Defence of his Perſon, and addreſſed to have them disbanded. And now our Apoſtates would make their Court by doing what the worſt Parliament ever *England* ſaw could not think of without Horror and Confuſion. They ſay the King of *France* was in League with our late Kings, ſo he is with us; and he would have broke it then, if he had thought it ſafe, and for his Intereſt, as much as now. But they ſay we have more diſaffected Perſons to join with him; which I muſt deny, for I believe no King of *England* in any Age had deſervedly more Intereſt than the preſent; and if during ſuch an expenſive War, in which we have conſumed ſo much Blood and Treaſure, paid ſuch vaſt and unequal Taxes, loſt ſo many thouſand Ships, and bore a Shock by recoining our Money which would have torn up another Nation from its Foundation, and reduced it to its ancient Chaos, when moſt Countries would have ſunk under the Misfortune, and repined at their Deliverance (as Men in Sickneſs commonly quarrel with their deareſt Friends) I ſay, if at that Time he had ſo great and univerſal an Intereſt, there can be no Doubt but in Times of Peace, when the People reap the Fruits of that Courage and Conduct he hath ſhewn in their Defence, he will be the moſt beloved and glorious Prince that ever filled the *Engliſh* Throne.

I will make one Aſſertion more, and then conclude this Diſcourſe, *viz.* That the moſt like-

ly Way of reſtoring King *James*, is maintaining a Standing Army to keep him out.

For the King's Safety ſtands upon a Rock whilſt it depends upon the ſolid Foundation of the Affections of the People, which is never to be ſhaken till it is as evident as the Sun in the Firmament, that there is a formed Deſign to overthrow our Laws and Liberties; but if we keep a Standing Army, all depends upon the uncertain and capricious Humours of the Soldiery, which in all Ages have produced more violent and ſudden Revolutions, than ever have been known in unarmed Governments: For there is ſuch a Chain of Dependance amongſt them, that if two or three of the chief Officers ſhould be diſobliged, or have Intrigues with Jacobite Miſtreſſes; or if the King of *France* could once again buy his Penſioners into the Court or Army, or offer a better Market to ſome that are in already, we ſhall have another Rehearſal Revolution, and the People be only idle Spectators of their own Ruin. And whoever conſiders the Compoſition of an Army, and doubts this, let him look back to the *Roman* Empire, where he will find out of twenty ſix Emperors, ſixteen depoſed and murdered by their own Armies; nay, half the Hiſtory of the World is made up of Examples of this Kind: But we need not go any farther than our own Country, where we have twice kept Armies in Times of Peace, and both Times they turned out their own Maſters. The firſt under *Cromwel* expelled that Parliament, under which they had fought ſucceſsfully for many Years; af-

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terwards under General *Monk* they deſtroyed the Government they before ſet up, and brought back King *Charles* the Second; and he afterwards disbanded them, leſt they might have turned him out again. The other Inſtance is freſh in every one's Memory, how King *James*'s Army, joined with the Prince of *Orange*, now our rightful and lawful King. And what could have been expected otherwiſe from Men of diſſolute and debauched Principles, who call themſelves Soldiers of Fortune; who make Murder their Profeſſion, and enquire no farther into the Juſtice of the Cauſe, than how they ſhall be paid; who muſt be falſe, rapacious and cruel in their own Defence: For having no other Profeſſion or Subſiſtance to depend upon, they are forced to ſtir up the Ambition of Princes, and engage them in perpetual Quarrels, that they may ſhare of the Spoils they make. Such Men, like ſome Sort of ravenous Fiſh, fare beſt in a Storm; and therefore we may reaſonably ſuppoſe, they will be better pleaſed with the tyrannical Government of the late King, than the mild and gracious Adminiſtration of his preſent Majeſty, who came over to *England* to reſcue us from Oppreſſion, and he has done it, and triumphs in it in Spite of his Enemies.

In this Diſcourſe I have purpoſely omitted ſpeaking of the leſſer Inconveniencies attending a Standing Army, ſuch as frequent Quarrels, Murders and Robberies, the Deſtruction of all the Game in the Country; the quartering upon publick and ſometimes private Houſes; the influenc-

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ing Elections of Parliament, by an artifical Diſtribution of Quarters; the rendering ſo many Men uſeleſs to Labour, and almoſt Propagation, together with a much greater Deſtruction of them, by taking them from a laborious Way of Living, to a looſe idle Life; and beſides this, the Inſolence of the Officers, and the Debaucheries that are committed both by them and their Soldiers in all the Towns they come in, to the Ruin of Multitudes of Women, Diſhonour of their Families and ill Example to others; and a numerous Train of Miſchiefs beſides, almoſt endleſs to enumerate. Theſe are trivial as well as particular Grievances, in reſpect of thoſe I have treated about, which ſtrike at the Heart's-blood of our Conſtitution, and therefore I thought theſe not conſiderable enough to bear a Part in a Diſcourſe of this Nature: Beſides they often procure their own Remedy, working Miracles, and making ſome Men ſee that were born blind, and impregnable againſt all the Artillery of Reaſon; for Experience is only the Miſtreſs of Fools: A wiſe Man will know a *Pike* will bite when he ſees his Teeth, which another will not make Diſcovery of but by the Loſs of a Finger.

What I have ſaid here againſt Standing Armies, I would be underſtood of ſuch as are the Inſtruments of Tyranny and their Country's Ruin, and therefore I need make no Apology to our own, which was raiſed by the Conſent of the Parliament in this juſt and neceſſary War, and next unto GOD and our great and glorious Deliverer,

liverer, have by their Bravery and Conduct preſerved our Liberties, and the Proteſtant Religion thro' *Europe*. For if in future Reigns any Deſigns ſhould be levelled againſt our Laws, we may be aſſured theſe Men would be diſcarded, and others promoted in their Rooms, who are fit for ſuch arbitrary Purpoſes.

Nor do I think it reaſonable that our Army ſhould be ruined by that Peace which by their Courage and Fidelity they have procured for their Country; and I doubt not but the Generoſity and Gratitude of the Parliament will give them a Donative equal to their Commiſſions, which, when the Foreigners are paid and ſent Home, will amount to no extraordinary Sum; at moſt it is but ſuppoſing the War to have ſix Months longer Continuance, which is an eaſy Compoſition for the Charge of keeping them. But if there are any Gentlemen amongſt them who think we can no otherwiſe expreſs our Gratitude, but by ſigning and ſealing our own Ruin, I hope we ſhall diſappoint their Expectations, and not give the World Occaſion to tell ſo fooliſh a Story of us, as that we turned to Graſs one of the moſt powerful Monarchs in the World for breaking our Laws, that we maintained in eight Years War at the Expence of forty Millions of Money, and the Blood of three hundred thouſand Men, to juſtify the glorious Action we have done; that by it we *preſerved* all *Europe* beſides, and *loſt* our own *Liberties*; at leaſt I hope it ſhall not be ſaid we conſented to it.

THE END.

Juſt Publiſhed,

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